

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

TTAB

In the Matter of United States Trademark Registration No. 2,049,847

Terri Yenke Gould, Executor

Petitioner,

vs.

General Marketing Capital, Inc. and Supercar
Collectables Limited

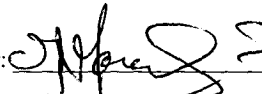
Respondents.

)
) Cancellation No.: 92052197

74706331

**CERTIFICATE OF EXPRESS
MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to ATTN: Trademark Trial and Appeal Board; Commissioner for Trademarks; P.O. Box 1451, Alexandria, VA 22313-1450, on October 31, 2011.

By: 
Gabriela Mazariegos, Legal Assistant

Express Mail Label No.:

EV 759453946 US

ATTN: Trademark Trial and Appeal Board
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1450

RESPONDENTS' NOTICE OF RELIANCE

Pursuant to 37 C.F.R. 2.122, Respondents hereby file and introduce into evidence, in the above-captioned proceeding, the following documents:

- Certified copies of documents as filed in the Estate of Donald F. Yenke in the Court of Common Pleas of Washington County, Pennsylvania, Orphans Court Division:

Document	Date	Respondent Exhibit No.
First Partial Account	May 18, 1989	R-95
Supplemental Account	May 21, 1993	R-96
Notice of Inheritance Tax Appraisment, Allowance or	March 1, 1994	R-97



Disallowance of Deductions, and Assessment of Tax		
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- Petitioner's Discovery Responses:

Document	Respondent Exhibit No.
Petitioner's Answers to Registrant/Assignee's First Set of Interrogatories 1-12	R-98
Petitioner's Answers to Registrant/Assignee's First Document Requests 1-12	R-99

- Abandoned and Pending United States Trademark Applications and Registrations (**TESS Registration Printout, TARR Status Printout and File History for each**) filed and owned by the Yenke Sportscar Club or Thomas Clary:

Serial No.	Mark	Filing Date	Goods	Respondent Exhibit No.
78734212	YENKO	10/17/05	Namely commemorative emblems, commemorative license plates, commemorative license plate frames, and key chains Namely performing, promoting and competing in motor sports events, in the nature of automobile races and automobile shows, as well as internet web sites and web pages	R-100

77899255	SYC Yenko Sportscar Club	12/22/09	Headgear, namely, caps; T-shirts Club services, namely, promoting the interests of sports car enthusiasts	R-101
78734240	SYC	10/17/05	Namely commemorative emblems, commemorative license plates, commemorative license plate frames, and key chains Namely performing, promoting and competing in motor sports events, in the nature of automobile races and automobile shows, as well as internet web sites and web pages	R-102

Respectfully submitted,

STOUT, UXA, BUYAN & MULLINS, LLP

October 31, 2011

/Robert D. Buyan/

Robert D. Buyan
Attorney for Registrant

4 Venture, Suite 300
Irvine, CA 92618
Telephone: (949) 450-1750 (X213)
Facsimile: (949) 450-1764
E Mail: rbuyan@patlawyers.com

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **Respondents' Notice of Reliance with Respondents' Exhibit Nos. 95-101** has been served on George E. Bullwinkel, Esq. by mailing said copy on October 31, 2011, via First Class Mail, postage prepaid to:

George E. Bullwinkel
Attorney at Law
425 Woodside Avenue
Hinsdale, IL 60521


Gabriela Mazariegos

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA

In Re:

ESTATE OF DONALD F. YENKO,
a/k/a DON YENKO, a/k/a
DON F. YENKO, DECEASED.

ORPHANS' COURT DIVISION

No. 63-87-0349

TYPE OF PLEADING:

FIRST PARTIAL ACCOUNT

FILED ON BEHALF OF:

MARTHA YENKO, former Executrix.

COUNSEL OF RECORD FOR THIS PARTY:

JOHN W. LATELLA, ESQUIRE.

PA I.D. #007.47

808 Manor Building
564 Forbes Avenue
Pittsburgh, PA 15219

(412) 471-3100

DECEMBER

89 MAY 18 AM 9 35

REGISTER OF WILLS
WASHINGTON CO., PA.

CERTIFIED TO BE A TRUE AND CORRECT COPY
AS OF RECORD IN THE REGISTER OF WILLS
AND CLERK OF THE ORPHANS COURT OFFICE.

REGISTER AND CLERK

DATE _____

10-25-2011

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION

No. 63-87-0349

Estate of DONALD F. YENKO, a/k/a DON YENKO, a/k/a DON F. YENKO, DECEASED.
FIRST PARTIAL ACCOUNT OF MARTHA YENKO, former Executrix.

Date of Death: March 5, 1987
Letters Granted: March 30, 1987
First Complete Advertisement of Grant of Letters: April 14, 1987
Account Stated to: April 30, 1989

S U M M A R Y				
SCHEDULE A				
PRINCIPAL - PERSONALTY				
Receipts	Pages 3 and 4		\$338,710 37	
Disbursements	Pages 5, 6 and 7		208,726 15	
	Balance	209,626.15		\$129,984 22
SCHEDULE B				
INCOME - PERSONALTY				
Receipts	Page 8	\$ 17,575.89		
Amount transferred from				
Income-Realty		116,152.46	\$133,728 35	
Disbursements			00	
	Balance			\$133,728 35
SCHEDULE C				
PRINCIPAL - REALTY				
Receipts	Page 9		\$ 40,000 00	
Disbursements			00	
	Balance			\$ 40,000 00

ESTATE OF DONALD F. YENKO, a/k/a DON YENKO, a/k/a DON F. YENKO, DECEASED.

SCHEDULE D

INCOME - REALTY

Receipts	Page 10			
Disbursements	Page 10	\$173,847.54	✓	
Amount transferred to				
Income-Personalty		<u>116,152.46</u>	✓	
				Balance
				NET BALANCE

\$290,000	00		
\$290,000	00		
			00
		\$303,712	57

SCHEDULE E

UNPAID FEES AND DEBTS

SCHEDULE F

CONTESTED CLAIMS

THE BALANCE CONSISTS OF THE FOLLOWING:

PRINCIPAL-PERSONALTY

<u>Stocks:</u>	100 shares - Wilshire Oil	\$	518	25
	40,000 shares - Abaco, Inc.		122,000	00
	37,739 shares - Yenke Imports, Inc.			00
	10,000 shares - Yenke Sportscars, Inc.			00
	2,841 shares - Okney Inc.			00
	10,000 shares - Patpacar Inc.			00

Partnership Interests: 50% YES-Aero Leasing

<u>Personal Property:</u>	Fur coat	\$	3,000	00
	Jewelry		1,600	00
	Household furnishings		8,400	00

Cash on Hand

		128,131	32
		\$263,712	57

PRINCIPAL-REALTY

- 1) Two (2) unimproved lots situate on Waterdam Road, Peters Township, Washington County, PA
- 2) All that certain tract of ground situate in Peters Township, Washington County, PA, containing 5.6171 acres, located on Washington Road, McMurray, PA - (see Note 1, Schedule C)

\$ 40,000	00		
	00	\$ 40,000	00
		\$303,712	57

ESTATE OF DONALD F. YENKO, a/k/a DON YENKO, a/k/a DON F. YENKO, DECEASED.

SCHEDULE A
PRINCIPAL - PERSONALTY

RECEIPTS

12/29/88	Inventory filed (copy attached hereto)	\$334,484	51		
	Plus adjustment to correct Inventory, being an addition to reflect initial deposit by Executrix into Estate bank account	68	42	\$334,552	93
	<u>Additional Assets:</u>				
4/17/87	Observer/Rep. rebate	\$ 44	31		
4/21/87	Decedent's final paycheck from Yenko Chevrolet, Inc.	461	82		
4/27/87	Expense reimbursement from Patpacar	184	87		
4/27/87	Rebate on Credit Life Insurance on airplane	1,714	02		
4/27/87	AOPA - Magazine refund	35	00		
5/12/87	Kaufmann's - Credit for returned item	75	96		
5/12/87	Pittsburgh National Bank - Safe deposit box refund	8	40		
5/14/87	Allegheny Radiology - Refund (medical service paid by Blue Cross)	113	05		
5/14/87	Rebate - Trade-a-Plane magazine	14	50		
5/14/87	Rebate - Insurance on airplane (C-150)	194	00		
5/18/87	Rebate - Flight Rep. magazine	19	50		
6/ 4/87	Rebate - TV Guide	4	03		
6/ 4/87	Rebate - AutoNews	51	87		
6/19/87	Rebate - Flying Magazine	20	48		
6/19/87	Decedent's vacation pay from Yenko Chevrolet, Inc.	923	64		
7/ 9/87	Rebate - Private Pilot Magazine	10	88		
9/25/87	Telephone deposit - Bell of Pa.	54	15		
3/ 2/88	Rebate - NADA	617	27		
3/14/89	Due decedent from Yenko Chevrolet, Inc. on loans to Stockholder account	274	63	\$ 4,822	38 20 ✓
	<u>Gain on Conversion of Assets:</u>				
	Personal loan to Kappa Delta Rho, Inc. -				
	Payments received:				
	5/ 4/87 - \$1,626.90				
	9/11/87 - 813.45				
	4/19/88 - 813.45				
	10/17/88 - 813.44	\$4,067.24	✓		
	Inventory value	2,732.00		\$ 1,335	24 ✓

ESTATE OF DONALD F. YENKO, a/k/a DON YENKO, a/k/a DON F. YENKO, DECEASED.

Loss on Conversion of Assets:

Hammond Organ - donated to Holy Cross Greek
Orthodox Church .00

Inventory value (2,000.00)

(2,000 00)

Conversion of Assets without Gain or Loss:

4/17/87

Cessna Cardinal Airplane -

sold to Daniel Sautel \$17,000.00

Inventory value 17,000.00

00

6/25/87

Cessna 150 Airplane -

sold to Steel City Aviation \$ 7,830.00

Inventory value 7,830.00

00

3/24/88

25,000 shares - Yenko Chevrolet, Inc. d/b/a
Yenko Honda -

150 shares sold to K. Mason

at 29-4/5 \$ 441.00

24,850 shares sold to

Yenko Chevrolet, Inc.

at 29-4/5

73,059.00

\$73,500.00

Inventory value

73,500.00

00

\$338,710 37

ESTATE OF DONALD F. YENKO, a/k/a DON YENKO, a/k/a DON F. YENKO, DECEASED.

DISBURSEMENTS

A) Funeral Expenses:

4/24/87	Beinhauer Funeral Home	\$4,732.61		
5/27/87	Bealsville Cemetery Assn.	1,025.00		
7/18/87	Bealsville Cemetery Assn.	597.60		
7/18/87	Quinet Monument Co.	5,326.00		
8/31/87	Yohe's Floral Shop	<u>291.50</u>	\$ 11,972	71 ✓

B) Administrative Expenses:

1) Executrix's fees paid to date:-

4/24/87	\$3,042.81		
5/27/87	3,042.18		
6/29/87	<u>3,042.18</u>	\$ 9,127	17 ✓

2) Attorneys' fees paid to date:

(a) LATELLA & NERONE -

9/4/87 (includes reimb. for probate - 32.00 commission - 20.00 advertising - 66.00)	\$10,479.00		
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10/11/88	2,294.25		
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1/4/89 (reimbursement for Inventory)	346.00		
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3/ 9/89	12,843.75		
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3/ 9/89	7,872.67		
---------	----------	--	--

3/13/89	4,918.00		
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3/13/89	3,531.25		
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3/29/89	24,874.25		
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3/29/89	1,439.24		
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3/29/89	<u>8,850.00</u>	\$ 77,448	42 ✓
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(b) DAVIS, WRIGHT & JONES -

9/ 4/87	\$25,000.00		
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8/16/88	3,868.59		
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12/ 1/88	<u>25,000.00</u>	\$ 53,868	59 ✓
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(c) WEISMAN & BOWMAN -

4/28/87	\$ 825.00		
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6/19/87	510.00		
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10/20/87	300.00		
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4/21/88	<u>542.50</u>	\$ 2,177	50 ✓
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3) Accountant's fees paid to date:

(a) FRED B. TOME, CPA -

6/ 3/87	\$ 250.00		
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8/11/87	110.00		
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8/31/87	250.00		
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3/24/88	1,260.00		
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2/ 6/89	<u>16,000.00</u>	\$ 17,870	00 ✓
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ESTATE OF DONALD F. YENKO, a/k/a DON YENKO, a/k/a DON F. YENKO, DECEASED.

C) <u>Miscellaneous Expenses:</u>			
4/20/87	West Penn Power Company (rent)	\$	59 04
4/20/87	Equitable Gas Company		156 32
4/20/87	AT&T		18 96
4/20/87	Bell of Pennsylvania		285 86
4/20/87	Pitt-Cannon Supply		13 94
4/20/87	Peters Township Sanitary Authority		72 09
4/20/87	Edwin L. Snee, Tax Collector (rent)		1,782 36
4/20/87	Rent (Meritor)		643 40
4/24/87	Aviation Technical Consultants (aircraft accident investigation)		500 00
4/24/87	West Virginia Dept. of Health (20 death certificates)		100 00
4/24/87	Professional Insurance Managers		237 00
4/24/87	K C Leasing (plane repairs)		5,238 95
4/27/87	Washington Federal Savings Bank (bank charges)		20 97
4/28/87	Edwin L. Snee, Tax Collector (rent - 1987 taxes)		207 49
5/ 1/87	Internal Revenue Service		8,976 35
5/ 4/87	Bell of Pa.		66 65
5/ 4/87	AT&T		18 96
5/ 6/87	North Pittsburgh Telephone Co.		414 19
5/12/87	George McMullen (lawn maintenance)		30 00
5/18/87	West Penn Power Company (rent)		116 95
5/19/87	Southern Bell (Florida phone)		69 22
5/19/87	Boron		88 97
5/19/87	George McMullen (lawn maintenance; moving)		95 00
5/21/87	Aviation Technical Consultants (investigation)		3,680 23
5/26/87	Rent (Meritor)		315 39
5/27/87	AT&T		18 96
5/28/87	Bell of Pa.		163 70
5/30/87	Western Pa. Water Co. (rent)		59 20
6/ 8/87	Bell of Pa.		108 84
6/ 8/87	Pool Designs		217 04
6/17/87	West Penn Power Company (rent)		71 77
6/23/87	Rent (Meritor)		315 39
6/25/87	North Pittsburgh Telephone		264 05
6/30/87	Bell of Pa.		77 84
6/30/87	AT&T		18 96
7/ 2/87	Crittenden Investigating (aircraft accident photos)		250 00
7/ 6/87	West Penn Power Company (rent)		206 31
7/13/87	Peters Township Sanitary Authority (rent)		43 59
8/31/87	Pennsylvania Dept. of Revenue		1,574 00
10/16/87	Pennsylvania Dept. of Revenue		608 79
3/ 3/88	Irvin M. Sopher, M.D. (consultation on cause of death)		300 00
9/29/88	Edwin L. Snee, Tax Collector		369 00
12/30/88	Pro Cleaners/Furriers		444 68
			28,820 41

ESTATE OF DONALD F. YENKO, a/k/a DON YENKO, a/k/a DON F. YENKO, DECEASED.

1/ 5/89	Aviation Technical Consultants (investigation)	1,359	64		
2/15/89	Travel Tower	1,765	00		
3/ 7/89	John F. Yoney, County Treasurer (taxes)	61	78		
3/13/89	Martha Yenke (Seattle lawsuit expenses)	3,821	14		
3/13/89	Terri Yenke Gould (Seattle lawsuit expenses)	1,394	52		
3/27/89	Pennsylvania Dept. of Revenue	66	00		
4/ 7/89	Fantasy III Travel (T. Gould's trip from New York to Pittsburgh and return trip)	304	00		
4/11/89	Edwin L. Snee, Tax Collector (township taxes)	60	27		
4/15/89	Washington Federal Savings Bank (bank charges)	9	00	\$208,726	15
		8841	35	209,626	15
				900.	off

ESTATE OF DONALD F. YENKO, a/k/a DON F. YENKO, a/k/a DON YENKO, DECEASED.

SCHEDULE B

INCOME - PERSONALTY

RECEIPTS

Interest on estate checking account -

(Washington Federal Savings Bank Account #0020109965)

5/87 - \$	332.75
6/87 -	440.85
7/87 -	430.63
8/87 -	494.94
9/87 -	523.39
10/87 -	396.01
11/87 -	427.58
12/87 -	464.38
1/88 -	510.23
2/88 -	558.19
3/88 -	538.99
4/88 -	799.30
5/88 -	880.26
6/88 -	927.09
7/88 -	930.67
8/88 -	973.65
9/88 -	1,038.39
10/88 -	1,047.80
11/88 -	1,096.08
12/88 -	1,079.45
1/89 -	1,027.10
2/89 -	1,025.17
3/89 -	860.36
4/89 -	<u>772.63</u>

\$ 17,575 89

Amount transferred from Income-Realty Account

116,152 46

\$133,728 35

ESTATE OF DONALD F. YENKO, a/k/a DON YENKO/ a/k/a DON F. YENKO, DECEASED.

SCHEDULE C

PRINCIPAL - REALTY

RECEIPTS

12/29/88

Inventory filed.

\$ 40,000 00

Note 1: Property situate on Route 19 and described in the Inventory filed as "All that certain tract of ground situate in Peters Township, Washington County, PA, containing 5.6171 acres, and located on Washington Road, McMurray, PA" has been sold. The proceeds of the sale, however, are subject to a Quiet Title Action filed in the Court of Common Pleas of Washington County, PA, Civil Division, at No. 88-6318. As of the date of this Partial Account, said lawsuit was still pending.

ESTATE OF DONALD F. YENKO, a/k/a DON YENKO, a/k/a DON F. YENKO, DECEASED.

SCHEDULE D

INCOME - REALTY

RECEIPTS

Rent received from Sun Chevrolet, Inc. on
ALL that certain tract of ground situate in
Peters Township, Washington County, Pa. containing
5.6171 acres, and located on Washington Road,
McMurray, PA.

20 months from 4/87 to 11/88 @\$14,500.00 per month

\$290,000 00

DISBURSEMENTS

5/ 7/87	Mentor Mortgage on 5.6171 acres of property located on Route 19, McMurray, PA	\$ 9,205.00			
6/ 8/87	"	8,565.72			
7/ 9/87	"	8,565.72			
8/11/87	"	8,565.72			
9/ 4/87	"	8,565.72			
10/ 7/87	"	8,565.72			
11/13/87	"	8,565.72			
12/ 8/87	"	8,565.72			
1/ 8/88	"	8,565.72			
2/ 8/88	"	8,565.72			
3/ 3/88	"	8,565.72			
3/24/88	"	8,565.72			
4/21/88	"	8,565.72			
5/17/88	"	8,565.72			
6/11/88	"	8,565.72			
7/ 7/88	"	8,565.72			
8/ 9/88	"	8,565.72			
9/ 8/88	"	8,565.72			
10/ 5/88	"	10,525.30	\$165,347	54	✓
2/ 4/88	McCarthy Insurance Agency - Fire insurance on property located on Route 19, McMurray, PA	\$ 1,705.00			
2/19/88	"	755.00			
3/21/88	"	755.00			
4/21/88	"	755.00			
5/17/88	"	755.00			
7/12/88	"	755.00			
7/19/88	"	755.00			
8/26/88	"	755.00			
9/19/88	"	755.00			
10/18/88	"	755.00	\$ 8,500	00	✓
Amount transferred to Income-Personalty Account					116,152 46
					\$290,000 00

ESTATE OF DONALD F. YENKO, a/k/a DON YENKO, a/k/a DON F. YENKO, DECEASED.

SCHEDULE E

Unpaid Administrative Fees due:

Davis, Wright & Jones (Attorneys)	\$209,179	00		
Latella & Nerone (Attorneys)	19,531	25		
Martha Yenke - Executrix	15,873	46	\$244,583	71

Unpaid Debts - admitted:

ACI Aviation	\$	131	19		
Allnet Communications Services		129	07		
Amoco Oil Company		91	52		
Boron Oil Company		210	57		
Mellon Bank (Cardholder services)		1,794	27		
Express Photo		33	57		
Exxon		413	68		
Gold Card Customer Service		2,461	72		
Horne's		25	97		
MBNA (Maryland Bank)		1,300	93		
McMurray Pharmacy		55	00		
McMurray Tristar Travel		258	74		
Mobil Oil		1	25		
Phillips 66		74	82		
PNC Service Corp.		809	30		
George K. Rozinak		380	46		
Shell Oil Company		303	21		
Sports Medicine Services		42	00		
Texaco		61	69		
Texaco		151	06		
American Express		1,843	69		
Texaco		212	75		
Vee Neal Aviation		2,726	75		
All-Metro Car Leasing Inc.		262	02		
AT&T		137	99		
John W. Latella, Esquire (law firm of Cauley, Conflenti & Latella - legal fees of decedent prior to death)		42,727	50		
Three Court cases instituted against the Estate in the Court of Common Pleas of Allegheny County, Pa -					
Niki Aronson vs. Estate of Donald F. Yenke					
No. GD87-9910;					
Shirley Spear vs. Estate of Donald F. Yenke					
No. GD87-9911;					
Megin Harrington vs. Estate of Donald F. Yenke					
No. GD87-9912 (cases were consolidated)		1,000,000	00	\$1,056,640	72
Amount unpaid to date - \$2,000,000.00**					
(**\$1,000,000.00 covered by insurance;					
\$1,000,000.00 unpaid to date)					

ESTATE OF DONALD F. YENKO, a/k/a DON YENKO, a/k/a DON F. YENKO, DECEASED.

SCHEDULE F

Contested Claims:

Patricia Lynn (Yenko) Hayward (former wife of decedent) -
Claim is based on a Post-Nuptial Agreement.

Amount unpaid
to date

Amount in
contest

In excess of
\$100,000.00

In excess of
\$100,000.00

Charles Balazick Company -
Equipment rental, repairs, supplies and
storage charges.

\$ 10,982 75

\$ 10,982 75

Affidavit Of Executor Or Administrator

State of Pennsylvania }
County of Washington } ss.

NO. 63-87-0349

Personally before me, the undersigned authority, a notary public
County and State, appeared MARTHA YENKO who, being duly
sworn according to law, deposes and says that S he is the executor ~~XXXXXXXXXXXX~~ of the estate of
DONALD F. YENKO, a/k/a DON YENKO, a/k/a deceased, that the foregoing schedules constitute a
DON F. YENKO,
complete inventory and appraisement of the real and personal estate of DONALD F. YENKO, a/k/a DON YENKO,
deceased, except real estate outside of the Commonwealth of Pennsylvania; that the figures opposite each item of a/k/a D
real and personal estate in the foregoing schedules are determined and stated by the undersigned to be the fair value F. YEN
of said items as of the date of the decedents death, based upon a just appraisement of each item made by the above
named Executor ~~XXXXXXXXXXXX~~

Sworn and subscribed before me this 23rd day of December, 1988.

day of December, 1988.
LYNNE K. BOYD, NOTARY PUBLIC
PETERS TWP., WASHINGTON COUNTY
MY COMMISSION EXPIRES JULY 29, 1994

ADDITIONAL INSTRUCTIONS

Member Pennsylvania Association of Notaries

1. An inventory must be filed within three months after appointment of personal representative.
2. A supplemental inventory must be filed within thirty days of discovery of additional assets.
3. File original and one copy of Inventory; original and one copy of Inheritance Tax Return including one copy of will and one copy of Federal Estate Tax Return, if applicable.

Inventory and Appraisement of the goods and chattels, rights and credits which
DONALD F. YENKO, a/k/a DON YENKO,
were of a/k/a DON F. YENKO, late of 132 Fawn Valley Drive, Peters Township,

Washington County, Pa., taken and made in the conformity with the above affidavit.

DOLLARS

CENTS

A. CASH:

- | | |
|---|--------------|
| 1) Washington Federal Savings Bank -
Account No. 00200323806 | \$ 90,949 44 |
| 2) Equibank Account No. 0583189688 | 4,891 82 |

B. AIRCRAFT:

- | | |
|-----------------------------|--------------|
| 1) Cessna Cardinal Airplane | \$ 17,000 00 |
| 2) Cessna 150 Airplane | 7,830 00 |

C. STOCKS:

- | | |
|--|-------------------------|
| 1) 100% - Yenke Imports, Inc. | \$ Unknown ¹ |
| 2) 40,000 shrs. - Abaco, Inc. | 122,000 00 |
| 3) 30,000 shrs. - Okney, Inc. | 00 00 |
| 4) 25,000 shrs. - Yenke Chevrolet, Inc. d/b/a
Yenke Honda | 73,500 00 |
| 5) 50% - Patpacar | 00 00 |
| 6) 100% - Yenke Sportscars, Inc. d/b/a
Yenke Saab | 00 00 |
| 7) 100 shrs. - Wilshire Oil | 581 25 |

INVENTORY AND APPRAISEMENT (con't.) - Re: ESTATE OF DONALD F. YENKO, a/k/a DONALD F. YENKO, a/k/a DON YENKO, DECEASED.

D. REAL ESTATE:

- | | |
|--|----------------------|
| 1) Two (2) unimproved lots situate on Waterdam Road, Peters Township, Washington County, PA. | \$ 40,000 .00 |
| 2) All that certain tract of ground situate in Peters Township, Washington County, PA, containing 5.6171 acres, and located on Washington Road, McMurray, PA | Unknown ² |

E. MISCELLANEOUS:

- | | |
|---|-----------------------------------|
| 1) Personal loan to Zeta Alumni of Kappa Delta Rho, Inc. (Fraternity) | \$ 2,732 .00 |
| 2) Personal property | <u>15,000 .00</u> |
| TOTAL | <u>\$ 374,484 .51³</u> |

Footnotes:

¹ This value is unknown, in that there are three (3) wrongful death lawsuits pending against this Corporation. If it is determined that the Corporation has liability in these lawsuits, the value of Yenke Imports, Inc. as an asset of this Estate could be "0".

² The subject real estate is subject to a pending lawsuit wherein this Estate is the Defendant. If the Plaintiff's claim is substantiated, this real estate may not be an asset of this Estate.

³ See footnotes ¹ and ² above.

WASHINGTON COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION
No. 63-87-0349

In Re:

ESTATE OF DONALD F. YENKO, a/k/a
DON YENKO, a/k/a DON F. YENKO,
DECEASED.

ADMIT- Aug 4, 1989

FIRST PARTIAL ACCOUNT OF
MARITA YENKO, former Executrix

JOHN W. LATELLA, ESQUIRE
LAW OFFICES
LATELLA & NERONE
808 MANOR BUILDING
564 FORBES AVENUE
PITTSBURGH, PENNSYLVANIA 15219

Washington County, SS,

I do certify that I have given legal notice to all persons concerned of the filing of the within account in the manner prescribed by Statute and Rule of Court, as evidenced by the filing thereof to No. 63-89-0588

Witness my hand and official seal this 13th of July 1989.

John W. Latella
John W. Latella

WASHINGTON CO., PA.
REGISTER OF WILLS
35 6 AM 18 JUL 68,
REGISTERED

1/11 1985 Pg 695-761

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA

In Re:

ESTATE OF DONALD F. YENKO a/k/a

DON YENKO a/k/a DON F. YENKO,
DECEASED.

vs.

ORPHANS' COURT DIVISION

CASE NUMBER: 63-87-0349

TYPE OF PLEADING: _____
SUPPLEMENTAL ACCOUNT

CODE AND CLASSIFICATION: _____

FILED ON BEHALF OF: _____
TERRI YENKO-GOULD, Administratrix
D.B.N. C.T.A.

(Name of party indicate
Plaintiff or Defendant)

NAME, ADDRESS AND TELEPHONE OF:

☒ Counsel of Record
☐ Individual, if Pro Se

JOHN W. LATELLA, ESQUIRE

Latella & Nerone

808 Manor Building

Pittsburgh, PA 15219

(412) 471-3100

Attorney's State ID# 00747

Attorney's Firm ID# 848

CERTIFIED TO BE A TRUE AND CORRECT COPY
AS OF RECORD IN THE REGISTER OF WILLS
AND CLERK OF THE ORPHANS' COURT OFFICE.

Mary Jo Poknis
REGISTER AND CLERK

DATE

10-25-2011

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION

No. 63-87-0349

ESTATE OF DONALD F. YENKO, a/k/a DON YENKO, a/k/a DON F. YENKO,
DECEASED.

SUPPLEMENTAL ACCOUNT OF TERRI YENKO-GOULD,
ADMINISTRATRIX D.B.N. C.T.A

Date of Death : March 5, 1987
Letters Granted: March 30, 1987
First Complete Advertisement of Grant of Letters: April 14, 1987
This Account stated to: April 30, 1993

S U M M A R Y

SCHEDULE A
PRINCIPAL - PERSONALTY

Receipts (pp. 4-5)	\$382,110.37	
Amount transferred from Principal- Personalty	952,908.08	
Amount transferred from Income-Realty	<u>62,789.00</u>	\$1,397,807.45
Disbursements (pp. 5-8)		<u>\$1,336,596.74</u>
		Balance .. \$ 61,210.71

SCHEDULE B
INCOME - PERSONALTY

Receipts (p. 9)	\$ 142,389.30	
Disbursements (p. 9)	<u>\$ 611.91</u>	
		Balance .. \$ 141,777.39

ESTATE OF DONALD F. YENKO a/k/a DON YENKO a/k/a
DON F. YENKO, DECEASED.
No. 63-87-0349

SCHEDULE C
PRINCIPAL - REALTY

Receipts (p. 10)		\$ 992,908.08
Disbursements	\$.00	
Amount transferred to Principal- Personalty	<u>952,908.08</u>	<u>\$ 952,908.08</u>
		Balance .. \$ 40,000.00

SCHEDULE D
INCOME - REALTY

Receipts (p. 11)		\$352,779.00
Disbursements (p. 11)	\$173,847.54	
Amount transferred to Income-Person- alty per First Partial Account	116,152.46	
Amount transferred to Principal-Per- sonalty Account	<u>62,779.00</u>	<u>\$352,779.00</u>
		Balance .. \$.00
		NET BALANCE .. \$ <u>242,988.10</u>

SCHEDULE E
UNPAID ADMINISTRATIVE FEES

SCHEDULE F
CONTESTED CLAIMS

ESTATE OF DONALD F. YENKO a/k/a DON YENKO a/k/a
DON F. YENKO, DECEASED.
No. 63-87-0349

THE BALANCE CONSISTS OF THE FOLLOWING:

PRINCIPAL - PERSONALTY

Cash \$ 67,406.85

Stocks not converted (as per Amended
Inventory and Appraisement):

100% Yenke Imports, Inc.	\$.00	
40,000 shrs. Abaco, Inc.	122,000.00	
30,000 shrs. Okney, Inc.	.00	
100% Yenke Sportscars, Inc.	.00	
50% Patpacar, Inc.	.00	
100 shrs. Wilshire Oil	<u>581.25</u>	\$ 122,581.25

Personal Property \$ 13,000.00

\$ 202,988.10

PRINCIPAL - REALTY

All that certain tract of ground situate
in Peters Township, Washington County,
PA containing 5.6171 acres, located on
Washington Road, McMurray, PA

\$ 40,000.00

\$ 242,988.10

ESTATE OF DONALD F. YENKO a/k/a DON YENKO a/k/a
DON F. YENKO, DECEASED.
No. 63-87-0349

SCHEDULE A
PRINCIPAL - PERSONALTY
RECEIPTS

As per First Partial Account (as of 4/30/89-
(copy attached hereto as Exhibit "A") \$338,710.37

Additional Assets -

5/1/89 to Present:

2/22/91 - L. Seitz Estate via Latella & Nerone Trustee Account (cost reimburse- ment from L. Seitz Estate re: Balazick v. Yenko, et al)	\$ 6,000.00	
12/20/91 - Advance from Yenke Imports, Inc. (transfer from Yenke Imports, Inc.)	22,400.00	
1990 - Advance from Yenke Imports, Inc. (payment of Estate bills)	<u>15,000.00</u>	\$ 43,400.00

Potential Gain on Conversion
of Assets:

40,000 shares Abaco Inc. - 100%: (Dissolution of this corpor- ation in process.) All assets have been reduced to cash and said cash, after payment of corporate debts and dissolution expenses, will be distributed to this Estate upon dissolution:	Net value - Undetermined
37,739 shares Yenke Imports, Inc. - 100%: (Dissolution of this corporation in process.) All assets have been reduced to cash and said cash, after payment of corporate debts and dissolution expenses, will be distributed to this Estate upon dissolution:	Net value - Undetermined

ESTATE OF DONALD F. YENKO a/k/a DON YENKO a/k/a
DON F. YENKO, DECEASED.
No. 63-87-0349

10,000 shares Yenko Sportscars,
Inc. d/b/a Yenko Perform-
ance & Marine - (100%):
(Dissolution of this cor-
poration in process.) Assets
of this corporation consist
of cash. Upon dissolution,
same will be distributed to
this Estate, less debts and
dissolution expenses:

Net value - Undetermined

Amount transferred from Principal-
Realty Account

\$ 952,908.08

Amount transferred from Income-
Income-Realty Account

\$ 62,789.00

TOTAL \$1,397,807.45

DISBURSEMENTS

As per First Partial Account
(of 4/30/89)

\$ 208,726.15

Administrative Expenses -
5/1/89 to Present:

12/29/89 - Martha Yenko - Balance
Executrix fee

\$15,872.83

Terri Yenko-Gould -

6/19/89 - Reimburse postage 32.42

12/29/89 - Partial Administratrix
fee 20,000.00

11/14/91 - Reimburse postage 15.00

12/27/91 - Balance Administratrix
fee 5,000.00

\$ 40,920.25

ESTATE OF DONALD F. YENKO a/k/a DON YENKO a/k/a
DON F. YENKO, DECEASED.
No. 63-87-0349

Attorneys' Fees -

5/1/89 to Present:

(a) Latella & Nerone -

5/26/89	\$19,531.25	
5/24/89	42,727.50	
5/24/89 (costs reimbursed)	445.70	
5/26/89	1,768.75	
9/19/89	11,637.00	
6/ 7/90	1,662.25	
3/ 7/91	5,331.25	
12/27/91	2,050.00	
4/ 7/93	<u>1,856.90</u>	\$ 87,010.60

(b) Davis, Wright & Jones -

5/26/89	\$212,000.00	
8/ 3/89	2,449.52	
12/27/89	16,240.23	
12/28/89 (costs reimbursed)	<u>7,538.58</u>	\$ 238,228.33

Accountant's Fees -

(a) Fred B. Tome, CPA -

6/ 8/89	\$ 600.00	
12/27/91	<u>1,820.00</u>	\$ 2,420.00

Miscellaneous Expenses -

5/1/89 to Present

5/26/89 - Wrongful death lawsuit
settlements to:

Niki Aronson	\$229,481.00
Shirley Spear	229,481.00
Mari J. Harrington	229,481.00

5/24/89 - Ace Aviation	131.19
" - Allnet Communications	129.07
" - Amoco Oil Company	91.52
" - Boron Oil Company	210.57
" - Mellon Bank, Cardholder Services	1,794.27
" - Express Photo	33.57

ESTATE OF DONALD F. YENKO a/k/a DON YENKO a/k/a
DON F. YENKO, DECEASED.
No. 63-87-0349

"	- Exxon	413.68
"	- American Express	2,461.72
"	- Horne's	25.97
"	- MBNA-MD MasterCard	1,300.93
"	- McMurray Tri-Star Travel	258.74
"	- Mobile Oil Company	1.25
"	- Phillips 66	74.82
"	- PNC Service Corp.	809.30
"	- George K. Rozinak	380.46
"	- Shell Oil Company	303.21
"	- Sports Medicine Services	42.00
"	- Texaco	212.75
"	- Vee Neel Aviation	2,726.75
"	- All Metro Car Leasing	262.02
"	- AT&T	137.99
6/ 2/89	- John A. Welsh (real estate appraisal)	75.00
6/ 8/89	- Federal Express	39.25
6/14/89	- Federal Express	32.25
6/15/89	- Federal Express	54.25
7/ 3/89	- Edwin L. Snee, Jr. (real estate taxes)	361.62
12/27/89-	Kim Mason (consult. fee)	10,000.00
12/29/89-	Norma Koza (bookkeeping fees)	5,000.00
3/ 5/90	- Pro Cleaners & Storage	136.00
3/ 5/90	- John F. Yoney, County Treasurer (real estate taxes)	71.32
4/10/90	- Edwin L. Snee, Jr. (real estate taxes)	60.27
7/18/90	- Federal Express	15.50
8/25/90	- Edwin L. Snee, Jr. (real estate taxes)	369.00
2/ 5/91	- Charles Balazick and William R. Davis, Esq. (settlement of Balazick v. Yenke, et al)	3,750.00
3/ 7/91	- Pro Cleaners & Storage	138.00
3/ 7/91	- John F. Yoney, County Treasurer (real estate taxes)	71.32
4/17/91	- Edwin L. Snee, Jr. (real estate taxes)	60.27
8/14/91	- Edwin L. Snee, Jr. (real estate taxes)	376.69

ESTATE OF DONALD F. YENKO a/k/a DON YENKO a/k/a
DON F. YENKO, DECEASED.
No. 63-87-0349

11/25/91- Federal Express	42.50	
1/ 6/92 - Federal Express	15.50	
1/15/92 - Federal Express	11.50	
3/ 4/92 - John F. Yoney, County Treasurer (real estate taxes)	71.32	
3/16/92 - Federal Express	20.00	
3/20/92 - Pro Cleaners & Storage	138.00	
3/31/92 - Yenke Imports, Inc. (repay- ment of advances of 1/3/90, 1/4/90, and 12/20/91)	37,400.00	
4/30/92 - Edwin L. Snee, Jr. (real estate taxes)	60.27	
8/ 6/92 - Edwin L. Snee, Jr. (real estate taxes)	376.69	
3/ 1/93 - Federal Express	24.50	
3/ 1/93 - John F. Yoney, County Treasurer (real estate taxes)	76.34	
3/26/93 - Edwin L. Snee, Jr. (real estate taxes)	60.27	
3/27/93 - Pro Cleaners & Storage	<u>139.00</u>	<u>\$ 759,291.41</u>
TOTAL		<u>\$1,336,596.74</u>

ESTATE OF DONALD F. YENKO a/k/a DON YENKO a/k/a
DON F. YENKO, DECEASED.
No. 63-87-0349

SCHEDULE B
INCOME - PERSONALTY
RECEIPTS

As per First Partial Account
(as of 4/30/89) \$ 133,728.35

5/1/89 to 4/15/93 -

Interest earned on Estate
checking account (Washington
Federal Savings Bank Account
#0020100009965) from 5/1/89
to 4/15/93

\$ 8,655.68

10/18/91 - Wilshire Oil (dividend)

2.22

9/ 2/92 - Wilshire Oil (dividend)

3.05

\$ 8,660.95

TOTAL

\$ 142,389.30

DISBURSEMENTS

Bank charges

\$ 24.00

IRS withholding tax on interest
earnings

587.91

\$ 611.91

TOTAL

\$ 611.91

ESTATE OF DONALD F. YENKO a/k/a DON YENKO a/k/a
DON F. YENKO, DECEASED.
No. 63-87-0349

SCHEDULE C
PRINCIPAL - REALTY
RECEIPTS

As per First Partial Account
(as of 4/30/89) \$ 40,000.00

Increase in value of the 5.6171
acres situate in Peters Twp.,
Washington County, PA, located
on Washington Road, McMurray,
PA, as per Amended Inventory
and Appraisement (copy attached
hereto as Exhibit "B") less
\$50.00 addition error in
said Amended Inventory and Appraisement 822,086.52

Increase in principal received
as a result of mortgage
payments made between date of
death and conversion on the
5.6171 acres situate in
Peters Twp., Washington
County, PA, located on
Washington Road, McMurray, PA 130,821.56

TOTAL \$ 992,908.08

DISBURSEMENTS

Disbursements \$.00

Amount transferred to
Principal-Personalty Account \$952,908.08

TOTAL \$ 952,908.08

ESTATE OF DONALD F. YENKO a/k/a DON YENKO a/k/a
DON F. YENKO, DECEASED.
No. 63-87-0349

SCHEDULE D
INCOME - REALTY
RECEIPTS

As per First Partial Account
(of 4/30/89) \$290,000.00

5/1/89 to present:

Interest from Lawyers Title
Insurance Corp. on settle-
ment proceeds -
re: conversion of 5.6171
acres on Washington Road,
McMurray, PA:

5/89 - \$36,908.61
3/92 - 15,673.62 \$52,582.23

12/88 - Rent (less
repairs received
after closing)

10,196.77

\$ 62,779.00

TOTAL \$352,779.00

DISBURSEMENTS

As per First Partial Account
(of 4/30/89)

\$173,847.54

5/1/89 to present

0.00

TOTAL

\$173,847.54

Amount transferred to Income-
Personalty Account per
First Partial Account

116,152.46

Amount transferred to Principal-
Personalty Account per
present Account

62,779.00

TOTAL

\$352,779.00

ESTATE OF DONALD F. YENKO a/k/a DON YENKO a/k/a
DON F. YENKO, DECEASED.
No. 63-87-0349

SCHEDULE E

Unpaid Administrative Fees due:

Ongoing future attorneys' fees and
accountants' charges for various
tax audits.

SCHEDULE F

<u>Contested Claims:</u>	<u>Amt. unpaid to date</u>	<u>Amt. in contest</u>
Patricia Lynn (Yenko) Dragisich (former wife of decedent) - Claim based on a Post-Nuptial Agreement.	In excess of \$100,000.00	100%
McMurray Pharmacy	\$104.31	\$49.31** (Note 1)
Internal Revenue Service (Decedent's final tax return)	IRS audit in process.	
Penna. Dept. of Revenue (Inheritance tax return)	Field audit in process.	
Internal Revenue Service and Penna. Dept. of Revenue (Fiduciary tax returns)	Internal audit in process.	

****Note 1:** This creditor was tendered a check for \$55.00, the amount owed by decedent at his date of death. This creditor, along with all other admitted claimants, was notified in writing shortly after the date of death that their claims were admitted. (See Exhibit "C" attached hereto as to this claimant.) On June 2, 1989, this claimant, along with all other admitted claimants, were notified that the admitted claims could be paid and check were tendered at that time. (See Exhibit "D" attached hereto as to this claimant.) This claimant has refused payment, and has demanded the payment of interest.

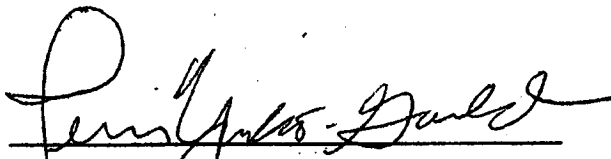
AFFIDAVIT OF ACCOUNTANT

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF

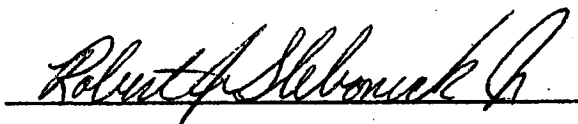
)
) SS:
)

THE WITHIN-NAMED ACCOUNTANT, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSES AND SAYS THAT LETTERS OF ADMINISTRATION WERE GRANTED TO HER, TERRI YENKO-GOULD, MORE THAN FOUR MONTHS PRIOR TO THE FILING HEREOF, THAT THE DISBURSEMENTS SHOWN IN THIS SUPPLEMENTAL ACCOUNT HAVE BEEN MADE TO THE PARTIES INDICATED HEREIN, AND THAT THIS SUPPLEMENTAL ACCOUNT AS STATED IS TRUE AND CORRECT AS SHE VERILY BELIEVES.


TERRI YENKO-GOULD

SWORN TO AND SUBSCRIBED BEFORE ME THIS 19th DAY OF

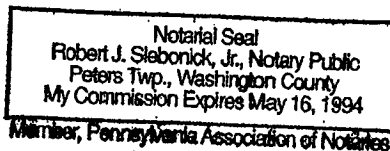
May, 1993.



NOTARY PUBLIC

TITLE OF OFFICER

MY COMMISSION EXPIRES:



IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA

In Re:

ESTATE OF DONALD F. YENKO,
a/k/a DON YENKO, a/k/a
DON F. YENKO, DECEASED.

) ORPHANS' COURT DIVISION
)
)

) No. 63-87-0349
)
)

) TYPE OF PLEADING:
)

) FIRST PARTIAL ACCOUNT
)

FILED ON BEHALF OF:

MARTHA YENKO, former Executrix.

COUNSEL OF RECORD FOR THIS PARTY:

JOHN W. LATELLA, ESQUIRE

PA I.D. #00747

808 Manor Building
564 Forbes Avenue
Pittsburgh, PA 15219

(412) 471-3100

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION

No. 63-87-0349

Estate of DONALD F. YENKO, a/k/a DON YENKO, a/k/a DON F. YENKO, DECEASED.
FIRST PARTIAL ACCOUNT OF MARTHA YENKO, former Executrix.

Date of Death: March 5, 1987
Letters Granted: March 30, 1987
First Complete Advertisement of Grant of Letters: April 14, 1987
Account Stated to: April 30, 1989

<u>S U M M A R Y</u>			
<u>SCHEDULE A</u>			
PRINCIPAL - PERSONALTY			
Receipts	Pages 3 and 4	\$338,710	37
Disbursements	Pages 5, 6 and 7	208,726	15
	Balance		\$ 129,984 22
<u>SCHEDULE B</u>			
INCOME - PERSONALTY			
Receipts	Page 8	\$ 17,575.89	
Amount transferred from			
Income-Realty		<u>116,152.46</u>	
Disbursements			
	Balance		\$133,728 35
<u>SCHEDULE C</u>			
PRINCIPAL - REALTY			
Receipts	Page 9	\$ 40,000	00
Disbursements			00
	Balance		\$ 40,000 00

ESTATE OF DONALD F. YENKO, a/k/a DON YENKO, a/k/a DON F. YENKO, DECEASED.

<u>SCHEDULE D</u>					
INCOME - REALTY					
Receipts	Page 10	\$290,000	00		
Disbursements	Page 10	\$173,847.54			
Amount transferred to					
Income-Personalty	116,152.46	\$290,000	00		
	Balance				00
	NET BALANCE			\$303,712	57
<u>SCHEDULE E</u>					
UNPAID FEES AND DEBTS					
<u>SCHEDULE F</u>					
CONTESTED CLAIMS					
<u>THE BALANCE CONSISTS OF THE FOLLOWING:</u>					
PRINCIPAL-PERSONALTY					
<u>Stocks:</u>	100 shares - Wilshire Oil			\$ 518	25
	40,000 shares - Abaco, Inc.			122,000	00
	37,739 shares - Yenke Imports, Inc.				00
	10,000 shares - Yenke Sportscars, Inc.				00
	2,841 shares - Okney Inc.				00
	10,000 shares - Patpacar Inc.				00
<u>Partnership Interests:</u>	50% YES-Aero Leasing				00
<u>Personal Property:</u>	Fur coat	\$ 3,000	00		
	Jewelry	1,600	00		
	Household furnishings	8,400	00	13,000	00
Cash on Hand				128,131	32
				\$263,712	57
PRINCIPAL-REALTY					
1)	Two (2) unimproved lots situate on Waterdam Road, Peters Township, Washington County, PA	\$ 40,000	00		
2)	All that certain tract of ground situate in Peters Township, Washington County, PA, containing 5.6171 acres, located on Washington Road, McMurray, PA - (see Note 1, Schedule C)		00	\$ 40,000	00
				\$303,712	57

ESTATE OF DONALD F. YENKO, a/k/a DON YENKO, a/k/a DON F. YENKO, DECEASED.

SCHEDULE A
PRINCIPAL - PERSONALTY

RECEIPTS

12/29/88	Inventory filed (copy attached hereto)	\$334,484	51		
	Plus adjustment to correct Inventory, being an addition to reflect initial deposit by Executrix into Estate bank account	68	42	\$334,552	93
	<u>Additional Assets:</u>				
4/17/87	Observer/Rep. rebate	\$ 44	31		
4/21/87	Decedent's final paycheck from Yenko Chevrolet, Inc.	461	82		
4/27/87	Expense reimbursement from Patpacar	184	87		
4/27/87	Rebate on Credit Life Insurance on airplane	1,714	02		
4/27/87	AOPA - Magazine refund	35	00		
5/12/87	Kaufmann's - Credit for returned item	75	96		
5/12/87	Pittsburgh National Bank - Safe deposit box refund	8	40		
5/14/87	Allegheny Radiology - Refund (medical service paid by Blue Cross)	113	05		
5/14/87	Rebate - Trade-a-Plane magazine	14	50		
5/14/87	Rebate - Insurance on airplane (C-150)	194	00		
5/18/87	Rebate - Flight Rep. magazine	19	50		
6/ 4/87	Rebate - TV Guide	4	03		
6/ 4/87	Rebate - AutoNews	51	87		
6/19/87	Rebate - Flying Magazine	20	48		
6/19/87	Decedent's vacation pay from Yenko Chevrolet, Inc.	923	64		
7/ 9/87	Rebate - Private Pilot Magazine	10	88		
9/25/87	Telephone deposit - Bell of Pa.	54	15		
3/ 2/88	Rebate - NADA	617	27		
3/14/89	Due decedent from Yenko Chevrolet, Inc. on loans to Stockholder account	274	63	\$ 4,822	20
	<u>Gain on Conversion of Assets:</u>				
	Personal loan to Kappa Delta Rho, Inc. -				
	Payments received:				
	5/ 4/87 - \$1,626.90				
	9/11/87 - 813.45				
	4/19/88 - 813.45				
	10/17/88 - 813.44	\$4,067.24			
	Inventory value	2,732.00		\$ 1,335	24

ESTATE OF DONALD F. YENKO, a/k/a DON YENKO, a/k/a DON F. YENKO, DECEASED.

<u>Loss on Conversion of Assets:</u>				
	Hammond Organ - donated to Holy Cross Greek Orthodox Church	.00		
	Inventory value	<u>(2,000.00)</u>	(2,000	00)
<u>Conversion of Assets without Gain or Loss:</u>				
4/17/87	Cessna Cardinal Airplane - sold to Daniel Sautel	\$17,000.00		
	Inventory value	<u>17,000.00</u>		00
6/25/87	Cessna 150 Airplane - sold to Steel City Aviation	\$ 7,830.00		
	Inventory value	<u>7,830.00</u>		00
3/24/88	25,000 shares - Yenko Chevrolet, Inc. d/b/a Yenko Honda - 150 shares sold to K. Mason at 29-4/5 \$ 441.00 24,850 shares sold to Yenko Chevrolet, Inc. at 29-4/5 <u>73,059.00</u>	\$73,500.00		
	Inventory value	<u>73,500.00</u>		00
			<u>\$338,710</u>	<u>37</u>

ESTATE OF DONALD F. YENKO, a/k/a DON YENKO, a/k/a DON F. YENKO, DECEASED.

DISBURSEMENTS

A) Funeral Expenses:

4/24/87	Beinhauer Funeral Home	\$4,732.61		
5/27/87	Bealsville Cemetery Assn.	1,025.00		
7/18/87	Bealsville Cemetery Assn.	597.60		
7/18/87	Quinet Monument Co.	5,326.00		
8/31/87	Yohe's Floral Shop	<u>291.50</u>	\$ 11,972	71

B) Administrative Expenses:

1) Executrix's fees paid to date:

4/24/87	\$3,042.81		
5/27/87	3,042.18		
6/29/87	<u>3,042.18</u>	\$ 9,127	17

2) Attorneys' fees paid to date:

(a) LATELLA & NERONE -

9/4/87 (includes reimb. for probate - 32.00 commission - 20.00 advertising - 66.00)	\$10,479.00		
10/11/88	2,294.25		
1/4/89 (reimbursement for Inventory)	346.00		
3/ 9/89	12,843.75		
3/ 9/89	7,872.67		
3/13/89	4,918.00		
3/13/89	3,531.25		
3/29/89	24,874.25		
3/29/89	1,439.24		
3/29/89	<u>8,850.00</u>	\$ 77,448	42

(b) DAVIS, WRIGHT & JONES -

9/ 4/87	\$25,000.00		
8/16/88	3,868.59		
12/ 1/88	<u>25,000.00</u>	\$ 53,868	59

(c) WEISMAN & BOWMAN -

4/28/87	\$ 825.00		
6/19/87	510.00		
10/20/87	300.00		
4/21/88	<u>542.50</u>	\$ 2,177	50

3) Accountant's fees paid to date:

(a) FRED B. TOME, CPA -

6/ 3/87	\$ 250.00		
8/11/87	110.00		
8/31/87	250.00		
3/24/88	1,260.00		
2/ 6/89	<u>16,000.00</u>	\$ 17,870	00

ESTATE OF DONALD F. YENKO, a/k/a DON YENKO, a/k/a DON F. YENKO, DECEASED.

C) <u>Miscellaneous Expenses:</u>				
4/20/87	West Penn Power Company (rent)	\$	59	04
4/20/87	Equitable Gas Company		156	32
4/20/87	AT&T		18	96
4/20/87	Bell of Pennsylvania		285	86
4/20/87	Pitt-Cannon Supply		13	94
4/20/87	Peters Township Sanitary Authority		72	09
4/20/87	Edwin L. Snee, Tax Collector (rent)		1,782	36
4/20/87	Rent (Meritor)		643	40
4/24/87	Aviation Technical Consultants (aircraft accident investigation)		500	00
4/24/87	West Virginia Dept. of Health (20 death certificates)		100	00
4/24/87	Professional Insurance Managers		237	00
4/24/87	K C Leasing (plane repairs)		5,238	95
4/27/87	Washington Federal Savings Bank (bank charges)		20	97
4/28/87	Edwin L. Snee, Tax Collector (rent - 1987 taxes)		207	49
5/ 1/87	Internal Revenue Service		8,976	35
5/ 4/87	Bell of Pa.		66	65
5/ 4/87	AT&T		18	96
5/ 6/87	North Pittsburgh Telephone Co.		414	19
5/12/87	George McMullen (lawn maintenance)		30	00
5/18/87	West Penn Power Company (rent)		116	95
5/19/87	Southern Bell (Florida phone)		69	22
5/19/87	Boron		88	97
5/19/87	George McMullen (lawn maintenance; moving)		95	00
5/21/87	Aviation Technical Consultants (investigation)		3,680	23
5/26/87	Rent (Meritor)		315	39
5/27/87	AT&T		18	96
5/28/87	Bell of Pa.		163	70
5/30/87	Western Pa. Water Co. (rent)		59	20
6/ 8/87	Bell of Pa.		108	84
6/ 8/87	Pool Designs		217	04
6/17/87	West Penn Power Company (rent)		71	77
6/23/87	Rent (Meritor)		315	39
6/25/87	North Pittsburgh Telephone		264	05
6/30/87	Bell of Pa.		77	84
6/30/87	AT&T		18	96
7/ 2/87	Crittenden Investigating (aircraft accident photos)		250	00
7/ 6/87	West Penn Power Company (rent)		206	31
7/13/87	Peters Township Sanitary Authority (rent)		43	59
8/31/87	Pennsylvania Dept. of Revenue		1,574	00
0/16/87	Pennsylvania Dept. of Revenue		608	79
3/ 3/88	Irvin M. Sopher, M.D. (consultation on cause of death)		300	00
9/29/88	Edwin L. Snee, Tax Collector		369	00
2/30/88	Pro Cleaners/Furriers		444	68

ESTATE OF DONALD F. YENKO, a/k/a DON YENKO, a/k/a DON F. YENKO, DECEASED.

1/ 5/89	Aviation Technical Consultants (investigation)	1,359	64		
2/15/89	Travel Tower	1,765	00		
3/ 7/89	John F. Yoney, County Treasurer (taxes)	61	78		
3/13/89	Martha Yenko (Seattle lawsuit expenses)	3,821	14		
3/13/89	Terri Yenko Gould (Seattle lawsuit expenses)	1,394	52		
3/27/89	Pennsylvania Dept. of Revenue	66	00		
4/ 7/89	Fantasy III Travel (T. Gould's trip from New York to Pittsburgh and return trip)	304	00		
4/11/89	Edwin L. Snee, Tax Collector (township taxes)	60	27		
4/15/89	Washington Federal Savings Bank (bank charges)	9	00	\$208,726	15

ESTATE OF DONALD F. YENKO, a/k/a DON F. YENKO, a/k/a DON YENKO, DECEASED.

SCHEDULE B

INCOME - PERSONALTY

RECEIPTS

Interest on estate checking account -
(Washington Federal Savings Bank Account #0020109965)

5/87 - \$	332.75
6/87 -	440.85
7/87 -	430.63
8/87 -	494.94
9/87 -	523.39
10/87 -	396.01
11/87 -	427.58
12/87 -	464.38
1/88 -	510.23
2/88 -	558.19
3/88 -	538.99
4/88 -	799.30
5/88 -	880.26
6/88 -	927.09
7/88 -	930.67
8/88 -	973.65
9/88 -	1,038.39
10/88 -	1,047.80
11/88 -	1,096.08
12/88 -	1,079.45
1/89 -	1,027.10
2/89 -	1,025.17
3/89 -	860.36
4/89 -	<u>772.63</u>

\$ 17,575 89

Amount transferred from Income-Realty Account

116,152 46

\$133,728 35

SCHEDULE C

PRINCIPAL - REALTY

RECEIPTS

12/29/88

Inventory filed.

\$ 40,000 00

Note 1: Property situate on Route 19 and described in the Inventory filed as "All that certain tract of ground situate in Peters Township, Washington County, PA, containing 5.6171 acres, and located on Washington Road, McMurray, PA" has been sold. The proceeds of the sale, however, are subject to a Quiet Title Action filed in the Court of Common Pleas of Washington County, PA, Civil Division, at No. 88-6318. As of the date of this Partial Account, said lawsuit was still pending.

ESTATE OF DONALD F. YENKO, a/k/a DON YENKO, a/k/a DON F. YENKO, DECEASED.

SCHEDULE D

INCOME - REALTY

RECEIPTS

Rent received from Sun Chevrolet, Inc. on
ALL that certain tract of ground situate in
Peters Township, Washington County, Pa. containing
5.6171 acres, and located on Washington Road,
McMurray, PA.

20 months from 4/87 to 11/88 @\$14,500.00 per month

\$290,000 00

DISBURSEMENTS

5/ 7/87	Mentor Mortgage on 5.6171 acres of property located on Route 19, McMurray, PA	\$ 9,205.00		
6/ 8/87	"	8,565.72		
7/ 9/87	"	8,565.72		
8/11/87	"	8,565.72		
9/ 4/87	"	8,565.72		
10/ 7/87	"	8,565.72		
11/13/87	"	8,565.72		
12/ 8/87	"	8,565.72		
1/ 8/88	"	8,565.72		
2/ 8/88	"	8,565.72		
3/ 3/88	"	8,565.72		
3/24/88	"	8,565.72		
4/21/88	"	8,565.72		
5/17/88	"	8,565.72		
6/11/88	"	8,565.72		
7/ 7/88	"	8,565.72		
8/ 9/88	"	8,565.72		
9/ 8/88	"	8,565.72		
10/ 5/88	"	10,525.30	\$165,347	54
2/ 4/88	McCarthy Insurance Agency - Fire insurance on property located on Route 19, McMurray, PA	\$ 1,705.00		
2/19/88	"	755.00		
3/21/88	"	755.00		
4/21/88	"	755.00		
5/17/88	"	755.00		
7/12/88	"	755.00		
7/19/88	"	755.00		
8/26/88	"	755.00		
9/19/88	"	755.00		
10/18/88	"	755.00	\$ 8,500	00

Amount transferred to Income-Personalty Account

116,152 46

\$290,000 00

ESTATE OF DONALD F. YENKO, a/k/a DON YENKO, a/k/a DON F. YENKO, DECEASED.

SCHEDULE E

Unpaid Administrative Fees due:

Davis, Wright & Jones (Attorneys)	\$209,179	00		
Latella & Nerone (Attorneys)	19,531	25		
Martha Yenke - Executrix	15,873	46	\$244,583	71

Unpaid Debts - admitted:

ACI Aviation	\$	131	19		
Allnet Communications Services		129	07		
Amoco Oil Company		91	52		
Boron Oil Company		210	57		
Mellon Bank (Cardholder services)		1,794	27		
Express Photo		33	57		
Exxon		413	68		
Gold Card Customer Service		2,461	72		
Horne's		25	97		
MBNA (Maryland Bank)		1,300	93		
McMurray Pharmacy		55	00		
McMurray Tristar Travel		258	74		
Mobil Oil		1	25		
Phillips 66		74	82		
PNC Service Corp.		809	80		
George K. Rozinak		380	46		
Shell Oil Company		303	21		
Sports Medicine Services		42	00		
Texaco		61	69		
Texaco		151	06		
American Express		1,843	69		
Texaco		212	75		
Vee Neal Aviation		2,726	75		
All-Metro Car Leasing Inc.		262	02		
AT&T		137	99		
John W. Latella, Esquire (law firm of Cauley, Conflenti & Latella - legal fees of decedent prior to death)		42,727	50		
Three Court cases instituted against the Estate in the Court of Common Pleas of Allegheny County, Pa -					
Niki Aronson vs. Estate of Donald F. Yenke					
No. GD87-9910;					
Shirley Spear vs. Estate of Donald F. Yenke					
No. GD87-9911;					
Megin Harrington vs. Estate of Donald F. Yenke					
No. GD87-9912 (cases were consolidated)		1,000,000	00	\$1,056,640.72	
Amount unpaid to date - \$2,000,000.00**					
(**\$1,000,000.00 covered by insurance;					
\$1,000,000.00 unpaid to date)					

ESTATE OF DONALD F. YENKO, a/k/a DON YENKO, a/k/a DON F. YENKO, DECEASED.

SCHEDULE F

Contested Claims:

Patricia Lynn (Yenko) Hayward (former wife of decedent) -
Claim is based on a Post-Nuptial Agreement.

Amount unpaid
to date

Amount in
contest

In excess of
\$100,000.00

In excess of
\$100,000.00

Charles Balazick Company -
Equipment rental, repairs, supplies and
storage charges.

\$ 10,982 75

\$ 10,982 75

Affidavit Of Executor Or Administrator

State of Pennsylvania
County of Washington

vs. YENKO, DECEASED

NO. 63-67-6143

Personally before me, the undersigned authority, a notary public

County and State, appeared **TERRI YENKO-GOULD** who, being duly sworn according to law, deposes and says that she is the executrix of the estate of **DONALD F. YENKO a/k/a DON YENKO a/k/a DON F. YENKO**, deceased, that the foregoing schedule constitutes a

complete inventory and appraisal of the real and personal estate of **DONALD F. YENKO a/k/a DON YENKO a/k/a DON F. YENKO**, deceased, except real estate outside of the Commonwealth of Pennsylvania; that the figures opposite each item of real and personal estate in the foregoing schedule are determined and stated by the undersigned to be the fair value of said items as of the date of the decedent's death, based upon a just appraisal of each item made by the above named Executor Administrator.

Given and subscribed before me this

Month 10 Day 93

PETER VILLALPANDO

[Signature]
Notary Public - State of Pennsylvania

ADDITIONAL INSTRUCTIONS

An inventory must be filed within three months after appointment of personal representative. A supplemental inventory must be filed within thirty days of discovery of additional assets. File original and one copy of inventory; original and one copy of inheritance Tax Return including one copy of will and one copy of Federal Estate Tax Return, if applicable.

AMENDED Inventory and Appraisal of the goods and chattels, rights and credits which

were of **DONALD F. YENKO a/k/a DON YENKO a/k/a DON F. YENKO** late of **132 Fawn Valley Drive, Paterson TWP. Washington County, Pa.** taken and made in the conformity with the above affidavit.

Washington County, Pa. taken and made in the conformity with the above affidavit.

DOLLARS

CENTS

A. CASH:

- 1) Washington Federal Savings Bank - Account No. 00200323806
- 2) Equibank Account No. 0583189688

TOTAL

\$ 95,824

\$ 90,949 44

4,891 82

B. AIRCRAFT:

- 1) Cessna Cardinal Airplane
- 2) Cessna 150 Airplane

\$ 17,000 00

7,830 00

C. STOCKS:

- 1) 100% - Yenke Imports, Inc.
- 2) 40,000 shares - Abaco, Inc.
- 3) 30,000 shares - Okney, Inc.
- 4) 25,000 shares - Yenke Chevrolet, Inc. d/b/a Yenke Honda
- 5) 50% - Patpacar
- 6) 100% - Yenke Sportscars, Inc. d/b/a Yenke Saab
- 7) 100 shares - Wilshire Oil

\$ 0 01

122,000 00

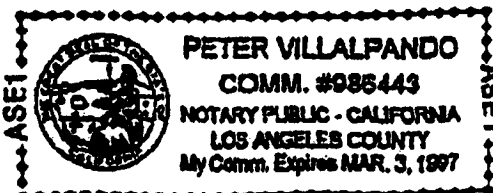
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73,500 00

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(cont.)

RE: ESTATE OF DONALD F. YENKO, DECEASED
No. 63-87-0349

AMENDED INVENTORY AND APPRAISEMENT
(continued)

D. REAL ESTATE:

- | | |
|---|--------------|
| 1) Two (2) unimproved lots situate on Waterdam Road, Peters Township, Washington County, PA. | \$ 40,000.00 |
| 2) All that certain tract of ground situate in Peters Township, Washington County, PA, containing 5.6171 acres, and located on Washington Road, McMurray, PA. | 822,136.52 |

E. MISCELLANEOUS:

- | | |
|---|------------------|
| 1) Personal loan to Zeta Alumni of Kappa Delta Rho, Inc. (fraternity) | \$ 2,732.00 |
| 2) Personal property | <u>15,000.00</u> |

TOTAL \$1,196.621.00

Footnotes:

¹ See explanation attached hereto.

² See explanation attached hereto.

RE: ESTATE OF DONALD F. YENKO, DECEASED
No. 63-87-0349

AMENDED INVENTORY AND APPRAISEMENT
(continued)

Item C(1): (explanation of footnote ¹).

As of the date of death, the value of this corporation was \$0 for a number of reasons:

(a) The Decedent had allowed Yenko Imports, Inc.'s lease to the automobile dealership to expire. The corporation had no lease.

(b) The corporation was insolvent, in that it could not meet its current obligations.

Subsequent to the date of death, on March 14, 1987 (during the administration of this Estate), counsel for the Estate negotiated an extension of the lease with the landlord, and the corporation and the landlord executed a lease extension. The Estate operated the corporation for a short period of time without paying all current and past obligations, and during the same period of time the Estate sought a buyer for the corporation's assets. On September 28, 1987 the Estate consummated a sale of the corporation's assets for the sum of \$575,000.00 plus adjustments.

The Estate maintains that the sale of Yenko Imports, Inc.'s assets, as an on-going business, could not have occurred but for the value which was added during the administration of this Estate (i.e. the new lease and the continued operation under the sale).

At the time of the filing of the original Inventory and Appraisement, there were three (3) wrongful death lawsuits pending against the Estate and Yenko Imports, Inc. and others.

Some of the proceeds of the sale of Yenko Imports, Inc.'s assets were subsequently used to pay debts of Yenko Imports, Inc. to enable it to pass title to its assets free and clear of creditors.

Yenko Imports, Inc. also contributed \$311,557.00 to the settlement of the wrongful death lawsuits, and it also contributed monies to the Estate to pay bills of the Estate.

The increase in value of Yenko Imports, Inc. due to the sale, as well as disbursements from same for corporate debts, the wrongful death lawsuits, and Estate debts and liabilities, will be reflected on the final Accounting.

RE: ESTATE OF DONALD F. YENKO, DECEASED
No. 63-87-0349

AMENDED INVENTORY AND APPRAISEMENT
(continued)

Item D(2): Explanation of footnote 2.

The subject real estate was subject to a lawsuit wherein this Estate was the Defendant. The date of death of the above-named Decedent is March 7, 1987. Item D(2)-Real Estate herein requires explanation.

On April 30, 1969, the Decedent took title to the subject real estate as tenant in common with Frank Yenke. Said Deed is recorded in the Recorder's Office of Washington County, PA in Book 1297, Page 952. On December 7, 1978, the Decedent and Frank Yenke conveyed the subject property to themselves as joint tenants with the right of survivorship and not as tenants in common. That Deed is recorded in the Recorder's Office of Washington County, PA in Book 1892, Page 102. On May 25, 1979, the Decedent, Frank Yenke, and their respective spouses executed and recorded another Deed, conveying the same property to the Decedent and Frank Yenke as joint tenants with the right of survivorship and not as tenants in common. This Deed apparently was merely to effect the joinders of the spouses in connection with the previous conveyance. On March 31, 1986, a Deed dated September 14, 1984 for the subject property was placed on record in the Recorder's Office of Washington County, PA in Book 2228, Page 533, purporting to convey the subject property from Frank Yenke and the Decedent to the Decedent exclusively. The purported consideration for that transaction was \$300,000.00; however, no actual consideration had ever passed between the parties, in that contemporaneous with the recording of the Deed, a Mortgage was recorded in Book 1411, Page 133, which Mortgage created a lien on the subject property in the amount of \$300,000.00 (the purported consideration of the transaction).

As of December 1, 1981, the subject property was leased to Sun Chevrolet Company by the record owners, Frank Yenke and the Decedent. In said lease, the owners granted Sun Chevrolet an option to purchase the subject property at fair market value. Sun Chevrolet subsequently exercised its option to purchase said property.

The establishment of the fair market value of the said property took place vis-a-vis an appraisal and negotiations between the parties. Note that the final purchase price of \$1,573,000.00 was arrived at shortly before the Decedent's death.

Referring back to the \$300,000.00 Mortgage payable to Frank Yenke, on December 8, 1988 Frank Yenke filed a lawsuit against the within Estate in the Court of Common Pleas of Washington County, Pennsylvania, Civil Division, at No. 88-6318. The lawsuit alleged

RE: ESTATE OF DONALD F. YENKO, DECEASED
File No. 63-87-0349

(Footnote 2 explanation con't.)

that the transaction reflected by the Deed recorded at Book 2228, Page 533 was void for the reasons set forth in said Complaint.

The closing for the sale of the subject property to Sun Chevrolet was scheduled for December 28, 1988. The above-mentioned lawsuit created an obstacle to closing; however, Frank Yenke's attorney acknowledged that even if Frank Yenke was the owner of the said property per the allegations set forth in the Complaint, he would still be subject to the purchase option if exercised by Sun Chevrolet, in that he was a party to the transaction which granted the purchase option. Therefore, on December 19, 1988, a Stipulation and Order of Court were entered, allowing the settlement to proceed with the stipulation that all monies in the transaction be held in escrow at Lawyers Title Insurance Corporation pending further Order of Court.

Upon investigation by counsel to the Estate, it was discovered that the Decedent had never paid Frank Yenke any monies either at the time of the purported closing of the transaction or at any time subsequent to the Decedent's death. Also, other items became apparent to counsel which caused said counsel to recommend commencement of settlement negotiations with the Plaintiff's (Frank Yenke) counsel. Those negotiations culminated in a settlement agreement to pay Frank Yenke 36% of the amount held in escrow, said sum to be \$556,638.48. This settlement agreement was approved by the Court, and the Court entered an Order dated May 18, 1989, directing disbursement of the funds.

Mentor Mortgage Corporation was the mortgagee on the subject real estate. The amount due on said mortgage as of the date of death was \$177,960.00.

The following calculations reflect the value of the subject property in this Estate as of the date of death (March 7, 1987):

Value at date of death:	\$1,573,000.00
Mortgage payoff (as of date of death)	(177,960.00)
Closing costs (per Settle. Statement):	
Settlement fee	\$ 50.00
Pa. transfer stamps	15,730.00
Escrow fee	500.00
Recording fees	35.00
	.. (16,265.00)
Payout to Frank Yenke per Court Order	(556,638.48)
	<u>\$ 822,136.52.</u>

U

MARTHA YENKO
112 HIGHLAND DRIVE
MCMURRAY, PA 15317

MCMURRAY PHARMACY
3637 WASHINGTON ROAD
MCMURRAY, PA 15317

DEAR SIR OR MADAM:

BE ADVISED THAT DONALD F. YENKO PASSED AWAY ON MARCH 5,
1987.

THE UNDERSIGNED HAS BEEN APPOINTED AS THE PERSONAL
REPRESENTATIVE OF HIS ESTATE.

YOUR BILL DATED 3/22/87 IN THE AMOUNT OF 55.00,
IS ADMITTEDLY A VALID DEBT OF THE ESTATE OF DONALD F. YENKO.

ACCORDINGLY YOUR CLAIM WILL BE PROCESSED AS A GENERAL DEBT
OF THE ESTATE AND HOPEFULLY WILL BE SATISFIED IN FULL AT THAT
POINT DURING THE ADMINISTRATION OF THE ESTATE WHEN IT'S GENERAL
CREDITORS CAN BE PAID.

IF YOU HAVE ANY QUESTIONS REGARDING THE ABOVE, I WOULD
APPRECIATE IT IF YOU WOULD DIRECT SAME TO THE ATTORNEY FOR THE
ESTATE, JOHN W. LATELLA, 1212 MANOR BUILDING, PITTSBURGH, PA
15219. TELEPHONE 412-471-6900.

VERY TRULY YOURS,

Martha Yenke

MARTHA YENKO, EXECUTRIX
ESTATE OF DONALD F. YENKO

CC: JOHN W. LATELLA

EXHIBIT "C"

LAW OFFICES
LATELLA & NERONE

808 MANOR BUILDING
584 FORBES AVENUE
PITTSBURGH, PENNSYLVANIA 15219

JOHN W. LATELLA
F. REGAN NERONE

TELEPHONE
(412) 471-3100

June 2, 1989

TO THE CREDITORS OF THE
ESTATE OF DONALD F. YENKO, DECEASED.

RE: Estate of Donald F. Yenke, Deceased

Dear Creditors:

Please excuse the generic nature of this letter; however, in that there are numerous creditors of the above-named Estate who have been patiently awaiting payment, I find it somewhat expedient to address all the creditors as a group.

The various litigations which have plagued this Estate have been concluded, and I am happy to report that all of the admitted debts of the Estate can now be paid in full.

Some of you have been adding interest charges to the last bill that was submitted to Donald Yenke/Estate of Donald Yenke. Please note that the Estate is ignoring said interest charges, and is not accepting responsibility to pay interest on the debts.

Accordingly, enclosed herewith in each appropriate letter is a check of the Estate of Donald Yenke, No. 266, and payable to McMURRAY PHARMACY, in the amount of \$ 55.00. If you are not prepared to accept the check enclosed herewith as payment in full of your claim against the Estate, including any interest you may have logged on your books, do not cash this check. Rather, return it to the undersigned, whereupon you will be given notice of the date of the audit of the Estate in the Orphans' Court Division of the Court of Common Pleas of Washington County, Pennsylvania, at which time you can appear and make your claim at that time.

As is stated on the back of each check, the negotiation of said check will indicate the fact that you are satisfied that the amount paid represents payment in full of all sums owed you by the Estate of Donald Yenke.

Thank you for your patience and consideration with regard to this matter.

Very truly yours,

JOHN W. LATELLA

JWL:rav
Enclosure

EXHIBIT "D"

STATE OF PENNSYLVANIA,
WASHINGTON COUNTY,

SS:

The within named Accountant being duly sworn according to law, depose and say that the above account as stated is true and correct as.....verily believe.

Sworn and subscribed before me this

day of 19.....

Washington County, ss:

I do certify that I have given legal notice to all persons concerned of the filing of the within account in the manner prescribed by Statute and Rule of Court, as evidence by proofs thereof filed to No. 63-93-0628

Witness my hand and official seal this.....

day of 1993

Kathleen M. Ruda J.P.
Register of Wills

63-87-0349

No.

ESTATE OF

DONALD F. YENKO a/k/a DON YENKO
a/k/a DON F. YENKO, DECEASED.

SUPPLEMENTAL Account of

TERRI YENKO-GOULD, Administratrix

D.B.N. C.T.A.

July 1993

REGISTER OF WILLS
WASHINGTON CO., PA.

MAY 21 PM 3:57

And now to wit.....

1993, the within account presented to the Court
for confirmation.

Kathleen M. Ruda
Register and Ex-Officio Clerk of O. C.

JOHN W. LATELLA, ESQUIRE

Latella & Nerone

800 Manor Building

Pittsburgh, PA 15219
Attorney for Accountant

(412) 471-3100

Vol 200 PG 331-337

041
R3-8-94

REV-1547 EX AFP (10-93)

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF REVENUE
BUREAU OF INDIVIDUAL TAXES
DEPT. 280601
HARRISBURG, PA 17128-0601



NOTICE OF INHERITANCE TAX
APPRAISEMENT, ALLOWANCE OR DISALLOWANCE
OF DEDUCTIONS, AND ASSESSMENT OF TAX

ACN 101

DATE 03-01-94

ESTATE OF YENKO
DATE OF DEATH 03-05-87

DONALD F

FILE NO. 63 87-0349
COUNTY WASHINGTON

NOTE: TO INSURE PROPER CREDIT TO YOUR ACCOUNT, SUBMIT THE UPPER PORTION OF THIS FORM WITH YOUR TAX
PAYMENT TO THE REGISTER OF WILLS. MAKE CHECK PAYABLE TO "REGISTER OF WILLS, AGENT"

REMIT PAYMENT TO:

JOHN W LATELLA ESQ
808 MANOR BLDG
564 FORBES AVE
PGH PA 15219

REGISTER OF WILLS
WASHINGTON CO COURT HOUSE
WASHINGTON, PA 15301

Amount Remitted

CUT ALONG THIS LINE RETAIN LOWER PORTION FOR YOUR RECORDS

REV-1547 EX AFP (10-93) NOTICE OF INHERITANCE TAX APPRAISEMENT, ALLOWANCE OR
DISALLOWANCE OF DEDUCTIONS AND ASSESSMENT OF TAX

ESTATE OF YENKO DONALD F FILE NO. 63 87-0349 ACN 101 DATE 03-01-94

TAX RETURN WAS: () ACCEPTED AS FILED (X) CHANGED - SEE ATTACHED NOTICE

RESERVATION CONCERNING FUTURE INTEREST - SEE REVERSE

APPRAISED VALUE OF RETURN BASED ON: ORIGINAL RETURN

1. Real Estate (Schedule A)	(1)	1,613,000.00
2. Stocks and Bonds (Schedule B)	(2)	518.00
3. Closely Held Stock/Partnership Interest (Schedule C)	(3)	925,908.00
4. Mortgages/Notes Receivable (Schedule D)	(4)	2,732.00
5. Cash/Bank Deposits/Misc. Personal Property (Schedule E)	(5)	135,670.00
6. Jointly Owned Property (Schedule F)	(6)	.00
7. Transfers (Schedule G)	(7)	.00
8. Total Assets	(8)	2,677,828.00

APPROVED DEDUCTIONS AND EXEMPTIONS:

9. Funeral Expenses/Administrative Costs/ Miscellaneous Expenses (Schedule H)	(9)	507,086.63
10. Debts/Mortgage Liabilities/Liens (Schedule I)	(10)	1,823,184.51
11. Total Deductions	(11)	2,330,271.14
12. Net Value of Tax Return	(12)	347,556.86
13. Charitable/Governmental Bequests (Schedule J)	(13)	.00
14. Net Value of Estate Subject to Tax	(14)	347,556.86

NOTE: If an assessment was issued previously, lines 14, 15 and/or 16 and 17 will
reflect figures that include the total of ALL returns assessed to date.

ASSESSMENT OF TAX:

15. Amount of Line 14 taxable at 6% rate	(15)	347,556.86 X .06 =	20,853.41
16. Amount of Line 14 taxable at 15% rate	(16)	.00 X .15 =	.00
17. Principal Tax Due	(17)		20,853.41

TAX CREDITS:

PAYMENT DATE	RECEIPT NUMBER	DISCOUNT (+) INTEREST (-)

CERTIFIED TO BE A TRUE AND CORRECT COPY
AS OF RECORD IN THE REGISTER OF WILLS
AND CLERK OF THE ORPHANS COURT OFFICE.
Mary Jo Pokneal
REGISTER AND CLERK
10-25-2011

INTEREST IS CHARGED FROM 12-06-87 TO 03-16-94
AT THE RATES APPLICABLE AS OUTLINED ON THE
REVERSE SIDE OF THIS FORM.*

TOTAL TAX CREDIT	.00
BALANCE OF TAX DUE	20,853.41
INTEREST	12,951.32
TOTAL DUE	33,804.73

INHERITANCE TAX EXPLANATION OF CHANGES

DECEDENT'S NAME	Donald F. Yenko	FILE NUMBER	63 87-0349
		ACN	101

SCHEDULE	ITEM NO.	EXPLANATION OF CHANGES
C	1	Adjusted to \$183,799.00
C	2	Adjusted to \$243,445.00
C	3	Adjusted to \$457,810.00
C	5	Adjusted to \$40,854.00
H	A-2	Additional Item - Beallsville Cemetery Association, \$1,622.60
H	A-3	Additional Item - Yoh's Floral Shop, \$291.50
H	A-4	Additional Item - Quinet Monument Company, \$5326.00
H	B-1	Adjusted to \$50,000.00
H	B-2	Adjusted to \$379,482.87
H	C-1	Adjusted to \$20,870.00
H	C-2	Additional Item - Disallowed - Hammond Organ, \$2,000.00
H	C-3	Additional Item - Miscellaneous payments, \$44,761.76
I	1	Adjusted to \$72,321.03
I	2	Deleted - Value included on Schedule H, Item B-2
I	3	Adjusted to \$556,638.48
I	4	Deleted - Value included on Schedule H, Item B-2
I	5	Adjusted to \$1,000,000.00
I	7	Additional Item - Closing costs on real estate, \$16,265.00
I	8	Suspended - Patricia Lynn (Yenko) Hayward Claim
I	9	Suspended - Charles Balazick Company Charges
		<i>Supplemental Return has been received and all adjustments have been made to the original Return.</i>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Terri Yenko Gould, Executor,)	
)	
Petitioner)	
)	
v.)	Cancellation 92052197
)	
SuperCar Collectibles, Limited)	
)	
Registrant)	
<hr/>		

PETITIONER'S ANSWERS TO REGISTRANT/ASSIGNEE'S
FIRST SET OF INTERROGATORIES 1 - 12

Petitioner hereby answers the Registrant/ Assignee's First
Interrogatories 1 - 12 as follows:

GENERAL OBJECTION. Petitioner objects, generally and specifically,
to the Definitions and Instructions insofar as they are other or different from
the Federal Rules of Civil Procedure, as interpreted and applied by this
Board.

INTERROGATORY NO. 1:

*Describe in detail each action taken by Petitioner to police or enforce
Petitioner's alleged rights in the Mark since 1988 and identify each person
believed to have knowledge of any such actions and each documents that
embodies, evidences or refers to any such actions.*

ANSWER: The Estate was unaware that its rights in the name and
mark YENKO were being violated until about 2009. No action, other than
the present petition to cancel, was previously taken.

INTERROGATORY NO. 2:

Describe in detail each action taken by Petitioner to police or enforce the alleged postmortem publicity rights of Donald Yenke and identify each person believed to have knowledge of such actions.

ANSWER: The Estate was unaware that its rights in the name and mark YENKO were being violated until about 2009. No action, other than the present petition to cancel, was previously taken.

INTERROGATORY NO. 3:

Describe in detail the extent and nature of each use, if any, of the Mark by or on behalf of Petitioner in connection with the advertisement, sale or offering of products or services subsequent to 1988 and, for each such use, specify the particular goods or services and the date(s) on which such use occurred.

ANSWER: The Estate was vaguely aware that prior to Don Yenke's death in 1987 a model of one or more of his cars had been made and sold, but not thereafter. It remained unaware of the widespread violation of the Estate's rights in the name and mark YENKO until about 2009 when it was reported that a "new" YENKO Camaro was about to be marketed by Steve Leonard of General Marketing Capital Inc. ("GMCI").

INTERROGATORY NO. 4:

State when and how Petitioner first became aware of Registrant's use of the Mark.

ANSWER: The Estate first became aware that model cars were being sold under the name and mark YENKO at a 2009 specialty automobile show in Chicago, Illinois.

INTERROGATORY NO. 5:

State when and how Petitioner first acquired actual knowledge of United States Trademark Registration No. 2,049,847.

ANSWER: The Estate had no information about Reg. No. 2,039,847 until it received a report from its trademark counsel's investigation in about December 2009.

INTERROGATORY NO. 6:

Identify each person or entity known by Petitioner to have used the Mark in connection with the advertisement, sale or offering of products or services subsequent to 1988 and state for each the identity of the goods or services, the date on which Petitioner learned of such use of the Mark and whether such use was with or without Petitioner's permission or license.

ANSWER: The Estate had no information that its rights in the name and mark YENKO were being violated until about 2009, when it learned that GMCI was intending to introduce a "YENKO" Camaro a Las Vegas auto show, followed by the report of widespread infringement by SuperCar Collectibles and GMCI in selling model cars and various other items of unauthorized "YENKO" merchandise.

INTERROGATORY NO. 7:

Identify each person or entity with whom Petitioner has entered into any license agreement, assignment or other granting or accepting of rights relating to the term "YENKO" or the publicity right of Donald Yenke and the state the total monthly sales in units and dollars of each such product or service for each such agreement, assignment or other granting or acceptance of rights.

ANSWER: The Estate has entered no license agreement, assignment or other grant or acceptance of rights to the name YENKO, or Donald Frank Yenke's right of publicity which passed to the Estate through his will.

INTERROGATORY NO. 8:

Identify each person or entity that has sold products or services created, manufactured, authorized, licensed or distributed by Petitioner bearing, using or incorporating the Mark or the postmortem publicity rights of Donald Yenke and, for each, identify the particular product(s) or service(s) sold and state the total monthly sales volume of each such product or service for each month since that person's or entity's first sale of the product or service.

ANSWER: None.

INTERROGATORY NO. 9:

Identify each person or entity known to have used the Mark in connection with automobile dealership services subsequent to 1988 and indicate whether Petitioner granted any license or permission to such person or entity for such use of the Mark.

ANSWER: None.

INTERROGATORY NO. 10:

State whether Petitioner contends the mark YENKO HONDA is presently abandoned and, if so, state each fact which evidences such abandonment.

ANSWER: No.

INTERROGATORY NO. 11:

State whether Martha Yenke or the Estate of Frank Yenke presently own any enforceable right, title or interest in the Mark and, if not, explain why not.

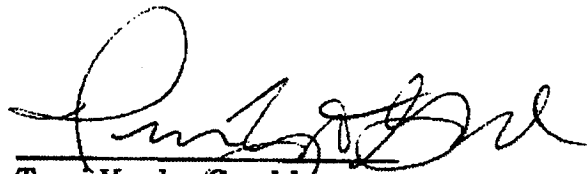
ANSWER: No. Martha Yenke and Frank Yenke, are both deceased, and neither had any right, title or interest in the name or mark YENKO as

used with high-performance sports automobiles, nor any right of publicity in the fame and reputation of Donald Frank Yenko.

INTERROGATORY NO. 12:

State whether the Estate of Patricia Lynn Yenko presently owns any enforceable right, title or interest in the Mark and, if not, explain why not.

ANSWER: No. Patricia Lynn Yenko had no right, title or interest in the name or mark YENKO as used with high-performance sports automobiles, nor any right of publicity in the fame and reputation of Donald Frank Yenko.



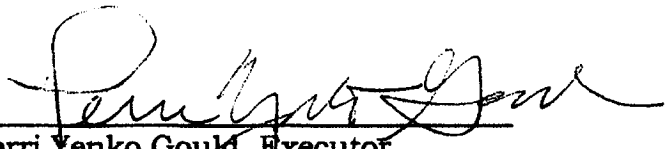
Terri Yenko (Gould)
Executor, Estate of Donald Frank
Yenko

Date: 12/21, 2010

George E. Bullwinkel
425 Woodside Avenue
Hinsdale, Illinois 60521
Telephone: (630) 418-2273
Email geb@bullwinkel.com
Fax: (630) 214-3210

DECLARATION

The undersigned, being hereby warned that willful false statements and the like so made are punishable under 18 U.S.C. 1001 by fine or imprisonment, or both, declares that the foregoing PETITIONER'S ANSWERS TO REGISTRANT/ASSIGNEE'S FIRST SET OF INTER-ROGATORIES 1 - 12 are complete, true and correct to the best of her knowledge and belief.



Terri Yenke Gould, Executor
Estate of Donald Frank Yenke

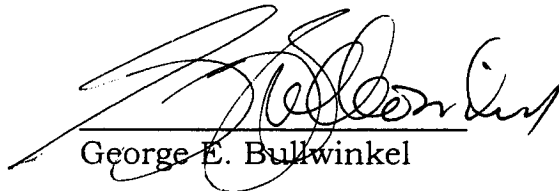
Date: 12/28/10

CERTIFICATE OF SERVICE

George E. Bullwinkel, an attorney of record, hereby certifies that one copy of the foregoing PETITIONER'S ANSWERS TO REGISTRANT/ ASSIGNEE'S FIRST SET OF INTERROGATORIES 1 - 12 was served by mailing, first class postage prepaid, on January 3, 2011 to the following:

Robert D. Buyan
STOUT, UXA, BUYAN & MULLINS, LLP
4 Venture, Suite 300
Irvine, CA 92618-7384
Telephone: (949)450-1750
Facsimile: (949)450-1764

Attorney for Respondent



George E. Bullwinkel

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Terri Yenko Gould, Executor,)	
)	
Petitioner)	
)	
v.)	Cancellation 92052197
)	
SuperCar Collectibles, Limited)	
)	
Registrant)	

PETITIONER'S ANSWERS TO REGISTRANT/ASSIGNEE'S FIRST
DOCUMENT REQUESTS 1 - 21

Petitioner hereby answers the Registrant/ Assignee's First
Document Requests 1 - 21 as follows:

GENERAL OBJECTION. Petitioner objects, generally and
specifically, to the Definitions and Instructions insofar as they are other or
different from the Federal Rules of Civil Procedure, as interpreted and
applied by this Board.

REQUEST NO. 1:

*Documents and things evidencing actions taken by Petitioner to police
or enforce the Mark.*

ANSWER: The petition in this Cancellation 92052197, of which
Respondent has a copy and which is publicly available.

REQUEST NO. 2:

*Documents and things mentioning or referring to use of the Mark by
Supercar Collectables Limited or its predecessor.*

ANSWER: The petition in this Cancellation 92052197, of which Respondent has a copy and which is publicly available.

REQUEST NO. 3:

Documents and things evidencing when Petitioner became aware of use of the Mark by Supercar Collectables Limited or its predecessor.

ANSWER: The petition in this Cancellation 92052197, of which Respondent has a copy and which is publicly available.

REQUEST NO. 4:

Documents and things evidencing when Petitioner acquired actual knowledge of United States Trademark Registration No. 2,049,847.

ANSWER: The petition in this Cancellation 92052197, of which Respondent has a copy and which is publicly available, and the report of the Estate's legal counsel, which is protected by the attorney-client privilege.

REQUEST NO. 5:

Documents and things mentioning or referring to United States Trademark Registration No. 2,049,847.

ANSWER: The petition in this Cancellation 92052197, of which Respondent has a copy and which is publicly available, and the report of the Estate's legal counsel, which is protected by the attorney-client privilege.

REQUEST NO. 6:

Documents and things mentioning or referring to a 2010 Chevrolet Yenko Camaro.

ANSWER: The petition in this Cancellation 92052197, of which Respondent has a copy and which is publicly available, Exhibits 26, 27, and the report of the Estate's legal counsel, which is protected by the attorney-client privilege.

REQUEST NO. 7:

Documents and things mentioning or referring to plans or intentions to design, manufacture or market a 2010 Chevrolet Yenko Camaro.

ANSWER: Exhibits 26, 27, and the report of the Estate's legal counsel, which is protected by the attorney-client privilege.

REQUEST NO. 8:

Documents and things which embody or refer to any opinion of counsel regarding Petitioner's alleged rights in the Mark.

ANSWER: The petition in this Cancellation 92052197, of which Respondent has a copy and which is publicly available, and the report of the Estate's legal counsel, which is protected by the attorney-client privilege.

REQUEST NO. 9:

Documents or things which establish Petitioner's standing to file and/or prosecute this cancellation proceeding.

ANSWER: The petition in this Cancellation 92052197, of which Respondent has a copy and which is publicly available, and the report of the Estate's legal counsel, which is protected by the attorney-client privilege.

REQUEST NO. 10:

Documents or things which mention, refer to or evidence payment by any third party for all or any part of the legal fees or costs incurred by Petitioner in connection with this cancellation proceeding.

ANSWER: Communications from the Estate's legal counsel, which are protected by the attorney-client privilege.

REQUEST NO. 11:

Documents or things that evidence any mistaken belief that Registrant's products sold under the mark emanated from or were licensed by Petitioner.

ANSWER: None at present.

REQUEST NO. 12:

Documents or things that evidence any consumer confusion resulting from Registrant's use of the Mark.

ANSWER: None at present.

REQUEST NO. 13:

Documents or things embodying, mentioning or referring to communications between Petitioner and Tom Clary.

ANSWER: Communications with Estate's legal counsel, who also represents Tom Clary in his capacity as President of the Yenko Sportscar Club, all of which are protected by the attorney-client privilege.

REQUEST NO. 14:

Documents or things mentioning or referring to use of the Mark by any third party without permission or license from Petitioner.

ANSWER: Communications from the Estate's legal counsel, all of which are protected by the attorney-client privilege.

REQUEST NO. 15:

Documents or things mentioning or referring to any or all of. Jeff Leonard, Classic Industries, Inc., Classic Camarro, Inc., and/or General Marketing Capital, Inc.

ANSWER: Communications from the Estate's legal counsel, all of which are protected by the attorney-client privilege.

REQUEST NO. 16:

Documents and things that, in Petitioner's contention, evidence that

the trademark rights registered in expired United States Trademark Registration No. 930794 have not been abandoned.

ANSWER: Communications from the Estate's legal counsel, all of which are protected by the attorney-client privilege.

REQUEST NO. 17:

Documents and things that are intended to be relied upon or placed into evidence by Petitioner in this proceeding.

ANSWER: See Exhibit List Nos. 1 - 41, attached.

REQUEST NO. 18:

Documents and things that, in Petitioner's contention, prove any of the allegations set forth in the cancellation petition filed in this proceeding.

ANSWER: The petition in this Cancellation 92052197, a copy of which is publicly available.

REQUEST NO. 19:

Documents and things that embody, refer to or relate to any agreement, license, assignment or other contract regarding or pertaining to the Mark.

ANSWER: The petition in this Cancellation 92052197, of which Respondent has a copy and which is publicly available.

REQUEST NO. 20:

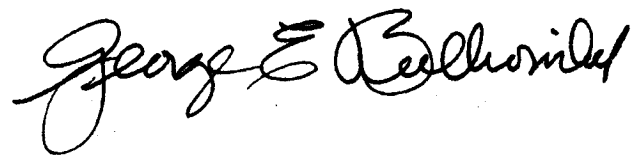
Documents and things that embody, refer to or evidence the terms of any postnuptial agreement entered into by Donald Yenke.

ANSWER: None are known to exist.

REQUEST NO. 21:

Documents and things that mention or refer to any trademark application or trademark registration for the Mark or for the mark sYc.

ANSWER: The application of the Yenke Sportscar Club to register the mark sYc, Ser. No. 77/899255, a copy of which is publicly available.



George E. Bullwinkel
Attorney for Petitioner

Date: January 3, 2011

George E. Bullwinkel
425 Woodside Avenue
Hinsdale, Illinois 60521
Telephone: (630) 418-2273
Email geb@bullwinkel.com
Fax: (630) 214-3210

EXHIBITS

Documents And Things To Be Relied Upon By Petitioner

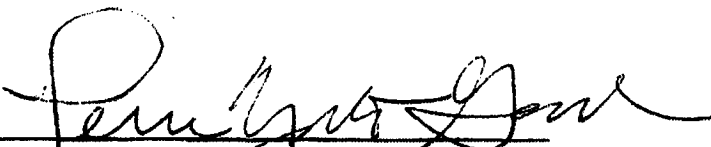
- 1 Classic Camaro Inc (active).pdf
- 2 Classic Industries Corp (dissolved).pdf
- 3 Estate - Adjudication and decree.pdf
- 4 Estate - Grant of letters.pdf
- 5 Estate - Letters of admin.pdf
- 6 Estate - Will of Donald F. Yenke.pdf
- 7 General Mktg Capital Inc (active).pdf
- 8 Jeff Leonard & Yenke Camaro.pdf
- 9 Jeff Leonard (1976).pdf
- 10 Jeff Leonard in Sports Car Market.pdf
- 11 License to Yenke Sportscar Club.pdf
- 12 PA Record - Yenke Honda.pdf
- 13 Revell '69 YENKE Camaro.pdf
- 14 Revell license.pdf
- 15 Statute - Right of Publicity -CA.pdf
- 16 Statute - Right of Publicity -PA.pdf
- 17 Statute - Trademark Act Sec 14.pdf
- 18 Sullivan letter.pdf
- 19 Sullivan Stmt of Use 7-26-1995.pdf
- 20 Supercar Assignment Reg 2049SS7.pdf
- 21 Supercar Assignment.pdf
- 22 Supercar MN State record.pdf

- 23 Supercar specimen 07-18-2006.pdf
- 24 Supercar specimens 12-15-2006.pdf
- 25 Supercar webpage.pdf
- 26 Yenko back to life 2010.pdf
- 27 Yenko brand purchased by GMCI.pdf
- 28 Yenko cars at 11-2009 Chicago Show.pdf
- 29 Yenko Chevrolet (abandoned 2008).pdf
- 30 Yenko history 1.pdf
- 31 Yenko history 2.pdf
- 32 Yenko legend to return.pdf
- 33 Yenko mdse sent by GMCI to ND IL.pdf
- 34 Yenko models 1.pdf
- 35 Yenko models 2.pdf
- 36 Yenko prototype at SEMA 11-3-09.pdf
- 37 Yenko Rebirth 2009.pdf
- 38 Yenko the man.pdf
- 39 Yenko thread (Oct 09).pdf
- 40 Yenko Wildfire Corvette (Bill Rea).pdf
- 41 Yenko/sYc Marks.pdf

(Note: Petitioner reserves the right to supplement this list as additional documents are discovered and become available)

DECLARATION

The undersigned, being hereby warned that willful false statements and the like so made are punishable under 18 U.S.C. 1001 by fine or imprisonment, or both, declares that the foregoing PETITIONER'S ANSWERS TO REGISTRANT/ ASSIGNEE'S FIRST DOCUMENT REQUESTS 1 - 21 are complete, true and correct to the best of her knowledge and belief.


Terri Yenke Gould, Executor
Estate of Donald Frank Yenke

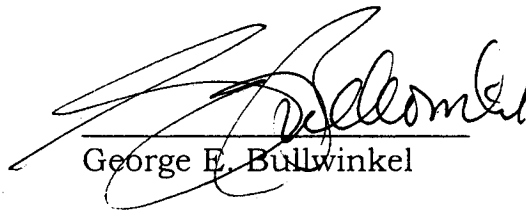
Date: 12/28/10

CERTIFICATE OF SERVICE

George E. Bullwinkel, an attorney of record, hereby certifies that one copy of the foregoing PETITIONER'S ANSWERS TO REGISTRANT/ ASSIGNEE'S FIRST DOCUMENT REQUESTS 1 - 21 was served by mailing, first class postage prepaid, on January 3, 2011 to the following:

Robert D. Buyan
STOUT, UXA, BUYAN & MULLINS, LLP
4 Venture, Suite 300
Irvine, CA 92618-7384
Telephone: (949)450-1750
Facsimile: (949)450-1764

Attorney for Respondent



George E. Bullwinkel



United States Patent and Trademark Office

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Terri Yenke Gould, Executor v. Supercar
Collectables Ltd., et al.
Cancellation Proceeding No. 92052197
Respondent's Exhibit No. 100

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Mon Oct 31 04:35:46 EDT 2011

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE LIST](#) [SEARCH OG](#) [BOTTOM](#) [HELP](#)

[Logout](#) Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

[TARR Status](#) [ASSIGN Status](#) [TDR](#) [TIAB Status](#) (Use the "Back" button of the Internet
Browser to return to TESS)

YENKO

Word Mark	YENKO
Goods and Services	(ABANDONED) IC 006. US 002 012 013 014 023 025 050. G & S: Namely commemorative emblems, commemorative license plates, commemorative license plate frames, and key chains. FIRST USE: 19980900. FIRST USE IN COMMERCE: 19980900
	(ABANDONED) IC 041. US 100 101 107. G & S: Namely performing, promoting and competing in motor sports events, in the nature of automobile races and automobile shows, as well as internet web sites and web pages. FIRST USE: 19980900. FIRST USE IN COMMERCE: 19980900
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78734212
Filing Date	October 17, 2005
Current Filing Basis	1A
Original Filing Basis	1A
Owner	(APPLICANT) Yenke Sportscar Club CORPORATION MISSOURI PO Box 375 Alton MISSOURI 65606
Type of Mark	TRADEMARK. SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	DEAD

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE Dict	SEARCH OG	TOP	HELP
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[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-10-31 16:32:40 ET

Serial Number: 78734212 Assignment Information

Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

YENKO

(words only): YENKO

Standard Character claim: Yes

Current Status: Abandoned because the applicant failed to respond or filed a late response to an Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Date of Status: 2006-11-28

Filing Date: 2005-10-17

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 106

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: L6X -TMEG Law Office 106 - Examining Attorney Assigned

Date In Location: 2006-11-28

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Yenko Sportscar Club

Address:

Yenko Sportscar Club
PO Box 375
Alton, MO 65606
United States

Legal Entity Type: Corporation**State or Country of Incorporation:** Missouri**Phone Number:** 417-778-6639**Fax Number:** 417-778-7221

GOODS AND/OR SERVICES

International Class: 006**Class Status:** Active

Namely commemorative emblems, commemorative license plates, commemorative license plate frames, and key chains

Basis: 1(a)**First Use Date:** 1998-09-00**First Use in Commerce Date:** 1998-09-00**International Class:** 041**Class Status:** Active

Namely performing, promoting and competing in motor sports events, in the nature of automobile races and automobile shows, as well as internet web sites and web pages

Basis: 1(a)**First Use Date:** 1998-09-00**First Use in Commerce Date:** 1998-09-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2006-11-28 - Abandonment Notice Mailed - Failure To Respond

2006-11-28 - Abandonment - Failure To Respond Or Late Response

2006-05-02 - Non-final action e-mailed

2006-05-02 - Non-Final Action Written

2006-04-20 - Assigned To Examiner

2005-10-21 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

YENKO SPORTSCAR CLUB

PO BOX 375

ALTON, MO 65606-0375

Phone Number: 417-778-6639

Fax Number: 417-778-7221

Side - 1



NOTICE OF ABANDONMENT
MAILING DATE: Nov 28, 2006

The trademark application identified below was abandoned because a response to the Office Action mailed on May 2, 2006 was not received within the 6-month response period.

If the delay in filing a response was unintentional, you may file a petition to revive the application with a fee. If the abandonment of this application was due to USPTO error, you may file a request for reinstatement. Please note that a petition to revive or request for reinstatement **must be received within two months from the mailing date of this notice.**

For additional information, go to <http://www.uspto.gov/teas/petinfo.htm>. If you are unable to get the information you need from the website, call the Trademark Assistance Center at 1-800-786-9199.

SERIAL NUMBER: 78734212
MARK: YENKO
OWNER: Yenke Sportscar Club

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR TRADEMARKS
P.O. BOX 1451
ALEXANDRIA, VA 22313-1451

FIRST-CLASS
MAIL
U.S POSTAGE
PAID

YENKO SPORTSCAR CLUB
PO BOX 375
ALTON , MO 65606-0375

To: Yenko Sportscar Club (yenko@yenko.net)
Subject: TRADEMARK APPLICATION NO. 78734212 - YENKO - N/A
Sent: 5/2/2006 10:55:13 AM
Sent As: ECOM106@USPTO.GOV
Attachments: [Attachment - 1](#)
[Attachment - 2](#)
[Attachment - 3](#)
[Attachment - 4](#)
[Attachment - 5](#)
[Attachment - 6](#)

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 78/734212

APPLICANT: Yenko Sportscar Club

CORRESPONDENT ADDRESS:
YENKO SPORTSCAR CLUB
PO BOX 375
ALTON, MO 65606-0375

78734212

RETURN ADDRESS:
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

MARK: YENKO

CORRESPONDENT'S REFERENCE/DOCKET NO : N/A

CORRESPONDENT EMAIL ADDRESS:
yenko@yenko.net

Please provide in all correspondence:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

OFFICE ACTION

RESPONSE TIME LIMIT: TO AVOID ABANDONMENT, THE OFFICE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF THE MAILING OR E-MAILING DATE.

MAILING/E-MAILING DATE INFORMATION: If the mailing or e-mailing date of this Office action does not appear above, this information can be obtained by visiting the USPTO website at <http://tarr.uspto.gov/>, inserting the application serial number, and viewing the prosecution history for the

mailing date of the most recently issued Office communication.

Serial Number 78/734212

The assigned trademark examining attorney has reviewed the referenced application and has determined the following:

Trademark Act Section 2(d) Refusal to Register

Registration of the proposed mark is refused because of a likelihood of confusion with the mark in U.S. Registration Nos. 2314585. Trademark Act Section 2(d), 15 U.S.C. §1052(d); TMEP §§1207.01 *et seq.* See the enclosed registration.

A likelihood of confusion determination in this case involves a two-part analysis. First, the marks are compared for similarities in appearance, sound, connotation and commercial impression. *In re E.I. du Pont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563 (C.C.P.A. 1973). Second, the goods or services are compared to determine whether they are similar or related or whether the activities surrounding their marketing are such that confusion as to origin is likely. *In re National Novice Hockey League, Inc.*, 222 USPQ 638 (TTAB 1984); *In re August Storck KG*, 218 USPQ 823 (TTAB 1983); *In re Int'l Tel. and Tel. Corp.*, 197 USPQ 910 (TTAB 1978); *Guardian Prods. Co., v. Scott Paper Co.*, 200 USPQ 738 (TTAB 1978); TMEP §§1207.01 *et seq.*

Applicant's mark is "YENKO" for the services "performing, promoting and competing in motor sports events, in the nature of automobile races and automobile shows, as well as internet web sites and web pages" and the goods "commemorative emblems, commemorative license plates, commemorative license plate frames, and key chains." Registrant's mark is "YENKO" for the services "Mail order catalogue services featuring parts and accessories for the restoration of classic automobiles; wholesale distributorships featuring parts and accessories for the restoration of classic automobiles."

For the reasons discussed below, the examining attorney concludes that confusion as to the source of the goods is likely between the applicant's mark and the registrant's mark.

Similarity of the Marks

The test of likelihood of confusion is not whether the marks can be distinguished when subjected to a side-by-side comparison; the issue is whether the marks create the same overall impression. *Visual Information Institute, Inc. v. Vicon Industries Inc.*, 209 USPQ 179 (TTAB 1980). The focus is on the recollection of the average purchaser who normally retains a general rather than specific impression of trademarks. *Chemetron Corp. v. Morris Coupling & Clamp Co.*, 203 USPQ 537 (TTAB 1979); *Sealed Air Corp. v. Scott Paper Co.*, 190 USPQ 106 (TTAB 1975); TMEP section 1207.01(b).

Applicant's mark, YENKO, is identical to registrant's mark, YENKO.

If the marks of the respective parties are identical or highly similar, the examining attorney must consider the commercial relationship between the goods or services of the respective parties carefully to determine whether there is a likelihood of confusion. *In re Concordia International Forwarding Corp.*, 222 USPQ 355 (TTAB 1983).

Relatedness of the Goods/Services

The services of the parties need not be identical or directly competitive to find a likelihood of confusion. They need only be related in some manner, or the conditions surrounding their marketing be such, that they could be encountered by the same purchasers under circumstances that could give rise to the mistaken belief that the goods come from a common source. *In re Martin's Famous Pastry Shoppe, Inc.*, 748 F.2d 1565, 223 USPQ 1289 (Fed. Cir. 1984); *In re Corning Glass Works*, 229 USPQ 65 (TTAB 1985); *In re Rexel Inc.*, 223 USPQ 830 (TTAB 1984); *Guardian Products Co., Inc. v. Scott Paper Co.*, 200 USPQ 738 (TTAB 1978); *In re International Telephone & Telegraph Corp.*, 197 USPQ 910 (TTAB 1978).

If the marks of the respective parties are identical, the relationship between the goods or services of the respective parties need not be as close to support a finding of likelihood of confusion as might apply where differences exist between the marks. *Century 21 Real Estate Corp. v. Century Life of America*, 970 F.2d 874, 877, 23 USPQ2d 1698, 1701 (Fed. Cir. 1992), *cert. denied* 506 U.S. 1034 (1992); *In re Opus One Inc.*, 60 USPQ2d 1812, 1815 (TTAB 2001); *Amtcor, Inc. v. Amtcor Industries, Inc.*, 210 USPQ 70 (TTAB 1981); TMEP §1207.01(a).

Applicant's goods and services are highly related to registrant's services because both are centered around a specific type of classic car, namely, Chevrolets customized by Don Yenke's muscle car shop that have come to be known as "Yenkes." Because registrant's mail order catalog includes accessories for classic cars, it could feature license plates, license plate frames, emblems, and key chains for Yenkes. Consumers are likely to view applicant's goods as originating from the same entity that offers a mail order catalogue featuring parts and accessories for Yenkes. This is especially true given that applicant's mark and registrant's mark are the same. The fact that the two marks are identical is also likely to cause consumers to believe that applicant's automobile show services featuring Yenkes originate from the same source as registrant's mail order catalog services featuring parts and accessories for Yenkes.

The examining attorney must resolve any doubt regarding a likelihood of confusion in favor of the prior registrant. *In re Hyper Shoppes (Ohio), Inc.*, 837 F.2d 463, 6 USPQ2d 1025 (Fed. Cir., 1988).

Although the examining attorney has refused registration, the applicant may respond to the refusal to register by submitting evidence and arguments in support of registration.

- Application Not Entitled to Register - Two or More Pending Applications with Earlier Effective Filing Date

Information regarding pending Application Serial Nos. 78569598 and 78569618 is enclosed. The effective filing dates of the referenced applications precede the applicant's filing date. There may be a likelihood of confusion under Trademark Act Section 2(d) between applicant's mark and the referenced marks. If one or more of the referenced applications mature into a registration, registration may be refused in this case under Section 2(d). 37 C.F.R. §2.83; TMEP §§1208 *et seq.* Therefore, upon entry of a response to this Office action, action on this case may be suspended pending final disposition of the earlier-filed applications.

If applicant believes that there is no potential conflict between this application and the earlier-filed applications, then applicant may present arguments relevant to the issue in a response to this Office action.

The election not to submit arguments at this time in no way limits applicant's right to address this issue at a later point.

Applicant should note the following additional ground for refusal.

Identification of Goods and Services

The wording “commemorative emblems” in the identification of goods needs clarification because it is indefinite in that it could include goods classified in other international classes. TMEP §§1402.01 and 1402.03. For example, it could include “commemorative printed emblems” in International Class 16 or “commemorative embroidered emblems” in International Class 26. Applicant must specify what type of material the emblems are made of.

The wording “commemorative license plates” in the identification of goods needs clarification because it is indefinite in that it could include goods classified in other international classes. TMEP §§1402.01 and 1402.03. For example, it could include “commemorative metal license plates” in International Class 6 or “commemorative plastic novelty license plates” in International Class 20. Applicant must specify what type of material the license plates are made of.

The wording “key chains” in the identification of goods needs clarification because it is indefinite in that it could include goods classified in other international classes. TMEP §§1402.01 and 1402.03. For example, it could include “Metal [http://atlas/netacgi/](http://atlas.netacgi/) - h0[http://atlas/netacgi/](http://atlas.netacgi/) - h2key chains” in International Class 6, “Key chains of precious metal” in International Class 14, “Leather [http://atlas/netacgi/](http://atlas.netacgi/) - h4[http://atlas/netacgi/](http://atlas.netacgi/) - h6key chains” in International Class 18, and “Non-metal and non-leather [http://atlas/netacgi/](http://atlas.netacgi/) - h5[http://atlas/netacgi/](http://atlas.netacgi/) - h7key chains” in International Class 20. Applicant must specify the type of material the key chains are made of.

The wording “promoting in motor sports events” in the identification of services needs clarification because it is too broad and could include services classified in other international classes. TMEP §§1402.01 and 1402.03. Applicant must clarify whether applicant is providing promoting services for others. If applicant is merely promoting its own motor sports events, then applicant must delete this wording from the identification of services because promoting one’s own services is not a service.

The wording “internet web sites and web pages” in the identification of services needs clarification because it is too broad and could include services classified in other international classes. TMEP §§1402.01 and 1402.03. Applicant must specify the nature of applicant’s services regarding internet web site and web pages. For example, is applicant providing information about automobiles via the Internet? If so, applicant must specify the type of information about automobiles being provided over the internet. For example, applicant could specify “providing information in the field of automobile repair and maintenance via the Internet” in International Class 37 or “providing information in the field of automobile shows and automobile races for entertainment via the Internet” in International Class 41.

Applicant may adopt the following identification of goods and services, if accurate:

International Class 6: “Metal key chains; commemorative metal license plates;”

International Class 12: “commemorative license plate frames”

International Class 16: “commemorative printed emblems;”

International Class 41: “Performing and competing in motor sports events in the nature of automobile races and automobile shows; providing information in the field of automobile shows and automobile races for entertainment purposes via the Internet.”

Please note that, while the identification of goods and/or services may be amended to clarify or limit the goods and/or services, adding to the goods and/or services or broadening the scope of the goods and/or services is not permitted. 37 C.F.R. §2.71(a); TMEP §1402.06. Therefore, applicant may not amend the identification to include goods and/or services that are not within the scope of the goods and/or services set forth in the present identification.

Online Manual of Acceptable Identifications of Goods and Services

For assistance with identifying and classifying goods and/or services in trademark applications, please see the online searchable *Manual of Acceptable Identifications of Goods and Services* at <http://tess2.uspto.gov/netahtml/tidm.html>.

Multiple Class Requirements – Section 1(a)

If applicant adopts the suggested amendment of the goods and services, then applicant must amend the classification to International Classes 6, 12, 16, and 41. 37 C.F.R. §§2.32(a)(7) and 2.85; TMEP §§805 and 1401 *et seq.*

If applicant prosecutes this application as a combined, or multiple-class application, then applicant must comply with each of the requirements below for those goods and/or services based on actual use in commerce under Trademark Act Section 1(a):

- (1) Applicant must list the goods/services by international class with the classes listed in ascending numerical order;
- (2) Applicant must submit a filing fee for each international class of goods and/or services not covered by the fee already paid (current fee information should be confirmed at <http://www.uspto.gov>); and
- (3) For each additional class of goods and/or services, applicant must submit:
 - (a) dates of first use of the mark anywhere and dates of first use of the mark in commerce, or a statement that the dates of use in the initial application apply to that class; the dates of use, both anywhere and in commerce, must be at least as early as the filing date of the application;
 - (b) one specimen showing use of the mark for each class of goods and/or services; the specimen must have been in use in commerce at least as early as the filing date of the application;
 - (c) a statement that “the specimen was in use in commerce on or in connection with the goods and/or services listed in the application at least as early as the filing date of the application;” and
 - (d) verification of the statements in 3(a) and 3(c) in an affidavit or a signed declaration under 37 C.F.R. §2.20. (NOTE: Verification is *not* required where (1) the dates of use for the added class are stated to be the same as the dates of use specified in the initial application, or (2) the original

specimens are acceptable for the added class.)

37 C.F.R. §§2.6, 2.34(a), 2.59, 2.71(c), and 2.86(a); TMEP §§810, 904.09, 1403.01 and 1403.02(c).

Applicant May Wish to Hire Trademark Counsel

Applicant may wish to hire a specialist attorney to assist in prosecuting this application because of the technicalities involved. The Office cannot aid in the selection of a trademark attorney. 37 C.F.R. §2.11. A applicant may wish to consult the Yellow Pages for a listing of attorneys specializing in trademark or intellectual property law, or seek guidance from its local Bar Association attorney-referral service.

If applicant has any questions, please feel free to contact the undersigned.

/Linda Lavache/
Trademark Examining Attorney
Law Office 106
Phone: 571.272.7187
Official Fax: 571.273.9106

HOW TO RESPOND TO THIS OFFICE ACTION:

- **ONLINE RESPONSE:** You may respond using the Office's Trademark Electronic Application System (TEAS) Response to Office action form available on our website at <http://www.uspto.gov/teas/index.html>. If the Office action issued via e-mail, you must wait 72 hours after receipt of the Office action to respond via TEAS. **NOTE: Do not respond by e-mail. THE USPTO WILL NOT ACCEPT AN E-MAILED RESPONSE.**
- **REGULAR MAIL RESPONSE:** To respond by regular mail, your response should be sent to the mailing return address above, and include the serial number, law office number, and examining attorney's name. **NOTE: The filing date of the response will be the *date of receipt in the Office*, not the postmarked date.** To ensure your response is timely, use a certificate of mailing. 37 C.F.R. §2.197.

STATUS OF APPLICATION: To check the status of your application, visit the Office's Trademark Applications and Registrations Retrieval (TARR) system at <http://tarr.uspto.gov>.

VIEW APPLICATION DOCUMENTS ONLINE: Documents in the electronic file for pending applications can be viewed and downloaded online at <http://portal.uspto.gov/external/portal/tow>.

GENERAL TRADEMARK INFORMATION: For general information about trademarks, please visit the Office's website at <http://www.uspto.gov/main/trademarks.htm>

FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY SPECIFIED ABOVE.

DESIGN MARK

Serial Number

75639497

Status

REGISTERED

Word Mark

YENKO

Standard Character Mark

No

Registration Number

2314585

Date Registered

2000/02/01

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

Classic Camaro, Inc. CORPORATION CALIFORNIA 17832 Gothard Huntington
Beach CALIFORNIA 92647

Goods/Services

Class Status -- ACTIVE. IC 035. US 100 101 102. G & S: Mail order
catalogue services featuring parts and accessories for the restoration
of classic automobiles; wholesale distributorships featuring parts and
accessories for the restoration of classic automobiles. First Use:
1997/04/01. First Use In Commerce: 1997/04/01.

Filing Date

1999/02/08

Examining Attorney

BUSH, KAREN K.

Attorney of Record

HUGH T VERANO JR

YENKO

DESIGN MARK

Serial Number

78569598

Status

PUBLISHED FOR OPPOSITION

Word Mark

YENKO

Standard Character Mark

Yes

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

{4} STANDARD CHARACTER MARK

Owner

Classic Camaro Inc. CORPORATION CALIFORNIA 18460 Gothard Street
Huntington Beach CALIFORNIA 92648

Goods/Services

Class Status -- ACTIVE. IC 012. US 019 021 023 031 035 044. G & S:
Automobiles and Automotive parts and accessories, namely, wheel caps,
spoilers and emblems. First Use: 1997/04/01. First Use In Commerce:
1997/04/01.

Prior Registration(s)

2314585

Section 2f Statement

2(F) ENTIRE MARK

Filing Date

2005/02/17

Examining Attorney

OSBORNE, STANLEY I.

Attorney of Record

Jo Anne M. Ybaben

YENKO

Print: Apr 28, 2006

78569618

DESIGN MARK

Serial Number

78569618

Status

FINAL REFUSAL - MAILED

Word Mark

YENKO

Standard Character Mark

Yes

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Classic Camaro Inc. CORPORATION CALIFORNIA 18460 Gothard Street
Huntington Beach CALIFORNIA 92648

Goods/Services

Class Status -- ACTIVE. IC 025. US 022 039. G & S: For use with
clothing and headwear, namely shirts, caps and jackets.. First Use:
1997/04/01. First Use In Commerce: 1997/04/01.

Prior Registration(s)

2314585

Filing Date

2005/02/17

Examining Attorney

DWYER, SEAN

Attorney of Record

Jo Anne M. Ybaben

YENKO

NOTE TO THE FILE

SERIAL NUMBER: 78734212

DATE: 04/28/2006

NAME: llavache2

NOTE:

- ☒ Checked LEXIS/NEXIS re surname.
- ☒ Searched internet using online dictionaries and Google.
- ☐ Checked with Law Library re surname.
- ☒ Checked geographic significance.
- ☐ Checked with translations branch.
- ☐ Checked ID with ID/Class
- ☐ Checked ID with Senior Attorney/Managing Attorney
- ☐ Telephoned attorney/applicant leaving message re: _____
- ☐ Telephoned attorney/applicant, application was signed on _____
- ☐ Personal interview conducted with attorney/applicant re _____
- ☐ Attorney/applicant called to discuss _____
- ☐ Bulky specimens with examiner.
- ☐ Acronym website searched.
- ☐ Changed Tradeups to add. _____
- ☐ Changed Tradeups to delete. _____
- ☐ Changed Tradeups to add Examiner's Amendment.
- ☐ OTHER (insert reason for Note)

*** User:llavache ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	306	0	306	168	0:02	*y{v}n{"ckq"}*[bi,ti] not dead [ld]
02	90	0	90	49	0:01	*enko*[bi,ti] not dead [ld] not 1

Session started 4/20/2006 3:12:07 PM

Session finished 4/20/2006 3:31:07 PM

Total search duration 0 minutes 3 seconds

Session duration 19 minutes 0 seconds

Defaut NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 78734212

Trademark/Service Mark Application, Principal Register

Serial Number: 78734212

Filing Date: 10/17/2005

The table below presents the data as entered.

Input Field	Entered
MARK SECTION	
MARK	<u>YENKO</u>
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	YENKO
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
OWNER SECTION	
NAME	Yenko Sportscar Club
STREET	PO Box 375
CITY	Alton
STATE	Missouri
ZIP/POSTAL CODE	65606
COUNTRY	United States
PHONE	417-778-6639
FAX	417-778-7221
EMAIL	yenko@yenko.net
AUTHORIZED EMAIL COMMUNICATION	Yes
LEGAL ENTITY SECTION	
TYPE	CORPORATION
STATE/COUNTRY OF INCORPORATION	Missouri
GOODS AND/OR SERVICES SECTION	

INTERNATIONAL CLASS	041
DESCRIPTION	Namely performing, promoting and competing in motor sports events, in the nature of automobile races and automobile shows, as well as internet web sites and web pages.
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 09/00/1998
FIRST USE IN COMMERCE DATE	At least as early as 09/00/1998
SPECIMEN FILE NAME(S)	<u>\\TICRS\EXPORT8\IMAGEOUT8\787\342\78734212\xml1\AP P0003.JPG</u>
	<u>\\TICRS\EXPORT8\IMAGEOUT8\787\342\78734212\xml1\AP P0004.JPG</u>
SPECIMEN DESCRIPTION	Specimen "1998flier1.JPG" is a digital photograph of an original flier from the 1st event in September of 1998. Specimen "article1.JPG" consists of a digital picture of a magazine article covering the 1998 event in the January 1999 issue of "Super Chevy".
GOODS AND/OR SERVICES SECTION	
DESCRIPTION	Namely commemorative emblems, commemorative license plates, commemorative license plate frames, and key chains.
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 09/00/1998
FIRST USE IN COMMERCE DATE	At least as early as 09/00/1998
SPECIMEN FILE NAME(S)	<u>\\TICRS\EXPORT8\IMAGEOUT8\787\342\78734212\xml1\AP P0005.JPG</u>
	<u>\\TICRS\EXPORT8\IMAGEOUT8\787\342\78734212\xml1\AP P0006.JPG</u>
SPECIMEN DESCRIPTION	Specimen "plate1.JPG" consists of a commemorative license plate. Specimen "keychain1.JPG" consists of a commemorative keychain.
SIGNATURE SECTION	
SIGNATURE	/Lyle T. "Tom" Clary/

SIGNATORY NAME	Lyle T. "Tom" Clary
SIGNATORY DATE	10/17/2005
SIGNATORY POSITION	President
PAYMENT SECTION	
NUMBER OF CLASSES	2
NUMBER OF CLASSES PAID	2
SUBTOTAL AMOUNT	650
TOTAL AMOUNT	650
CORRESPONDENCE SECTION	
NAME	Yenko Sportscar Club
STREET	PO Box 375
CITY	Alton
STATE	Missouri
ZIP/POSTAL CODE	65606
COUNTRY	United States
EMAIL	yenko@yenko.net
AUTHORIZED EMAIL COMMUNICATION	Yes
FILING INFORMATION	
SUBMIT DATE	Mon Oct 17 10:50:27 EDT 2005
TEAS STAMP	USPTO/BAS-692989178-20051 017105027401047-78734212- 20058931c838c2421bb1d9c25 162c1e4e6-ET-1164-2005101 7102736455174

Trademark/Service Mark Application, Principal Register

Serial Number: 78734212

Filing Date: 10/17/2005

To the Commissioner for Trademarks:

MARK: (Standard Characters, see mark)

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The literal element of the mark consists of YENKO.

The applicant, Yenke Sportscar Club, a corporation of Missouri, residing at PO Box 375, Alton, Missouri, United States, 65606, requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

The applicant, or the applicant's related company or licensee, is using the mark in commerce, and lists below the dates of use by the applicant, or the applicant's related company, licensee, or predecessor in interest, of the mark on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

International Class 041: Namely performing, promoting and competing in motor sports events, in the nature of automobile races and automobile shows, as well as internet web sites and web pages.

International Class _____: Namely commemorative emblems, commemorative license plates, commemorative license plate frames, and key chains.

In International Class 041, the mark was first used at least as early as 09/00/1998, and first used in commerce at least as early as 09/00/1998, and is now in use in such commerce. The applicant is submitting or will submit one specimen for *each class* showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Specimen "1998flier1.JPG" is a digital photograph of an original flier from the 1st event in September of 1998. Specimen "article1.JPG" consists of a digital picture of a magazine article covering the 1998 event in the January 1999 issue of "Super Chevy"..

Specimen - 1

Specimen - 2

In International Class _____, the mark was first used at least as early as 09/00/1998, and first used in commerce at least as early as 09/00/1998, and is now in use in such commerce. The applicant is submitting or will submit one specimen for *each class* showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Specimen "plate1.JPG" consists of a commemorative license plate. Specimen "keychain1.JPG" consists of a commemorative keychain..

Specimen - 1

Specimen - 2

The USPTO is authorized to communicate with the applicant or its representative at the following email address: yenko@yenko.net.

A fee payment in the amount of \$650 will be submitted with the application, representing payment for 2 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Lyle T. "Tom" Clary/ Date: 10/17/2005

Signatory's Name: Lyle T. "Tom" Clary

Signatory's Position: President

Mailing Address:

Yenko Sportscar Club

PO Box 375

Alton, Missouri 65606

RAM Sale Number: 1164

RAM Accounting Date: 10/17/2005

Serial Number: 78734212

Internet Transmission Date: Mon Oct 17 10:50:27 EDT 2005

TEAS Stamp: USPTO/BAS-692989178-20051017105027401047

-78734212-20058931c838c2421bb1d9c25162c1

e4e6-ET-1164-20051017102736455174

YENKO

JOSEPH HAZARD, INCORPORATED
COPO *ALUMINUM* 1953

1st ANNUAL REPORT
RETURNING STOCKHOLDERS

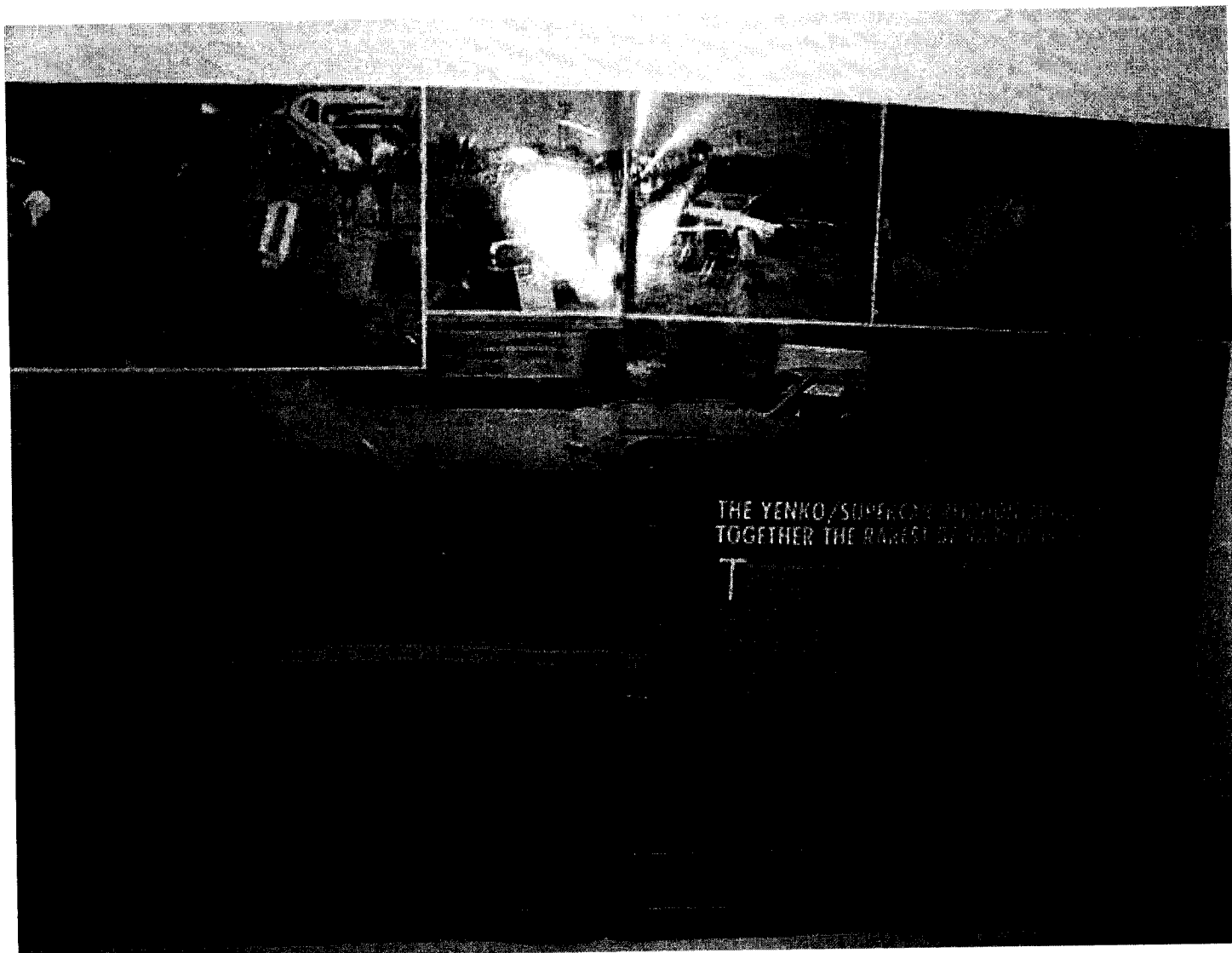
FOR ALL OF THE YEAR 1952
EARNINGS AND DIVIDENDS

STATEMENT OF EARNINGS

AMOUNT OF EARNINGS PER SHARE
FOR THE YEAR 1952
\$0.10 PER SHARE
\$0.10 PER SHARE
\$0.10 PER SHARE

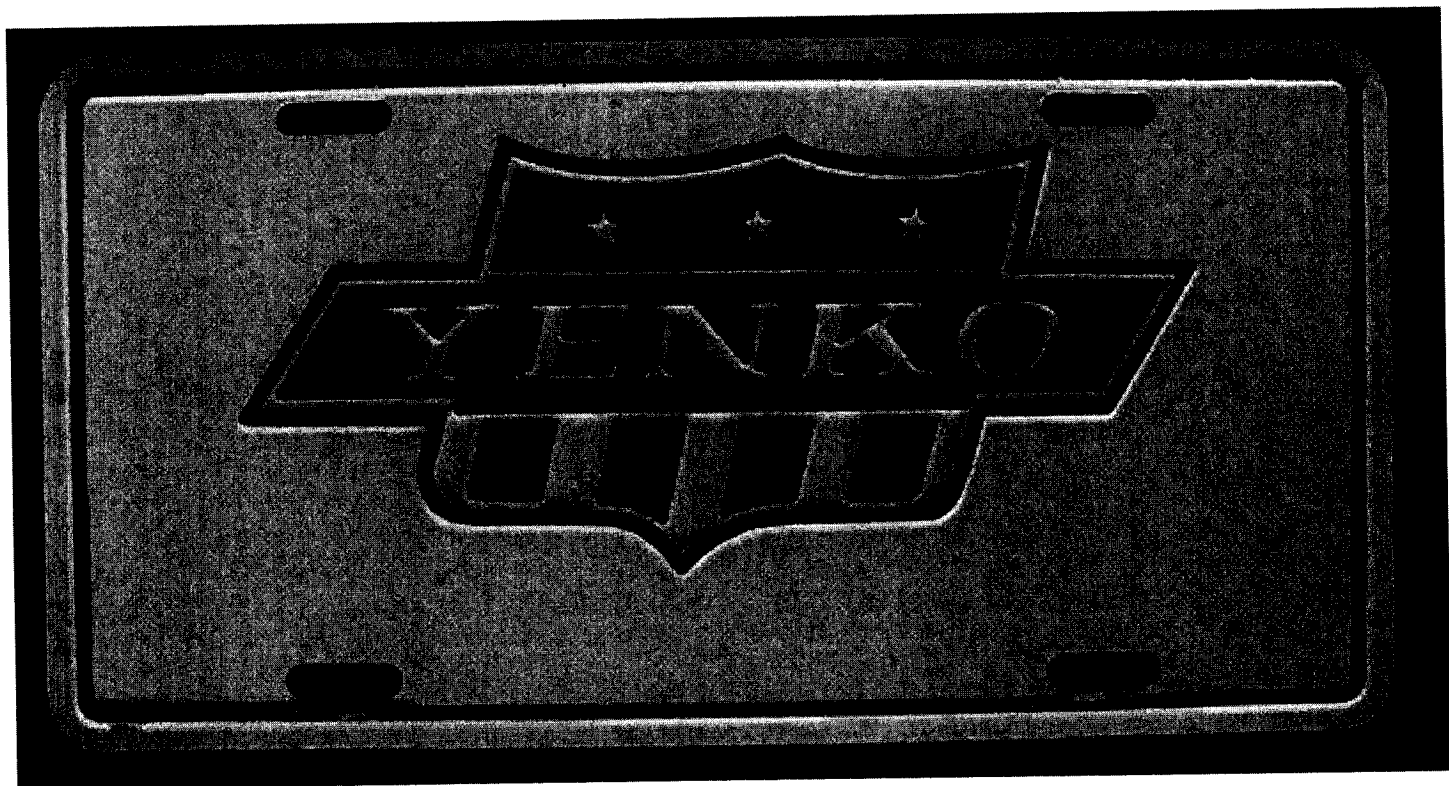
STATEMENT OF DIVIDENDS

AMOUNT OF DIVIDENDS PER SHARE
FOR THE YEAR 1952
\$0.10 PER SHARE
\$0.10 PER SHARE
\$0.10 PER SHARE



THE YENKO/SUPERCOOL RECORDS
TOGETHER THE RAREST OF RARE

THE
YENKO/SUPERCOOL RECORDS
TOGETHER THE RAREST OF RARE





YENKO
1111

YENKO

1968 HONDA MOTOR CORPORATION

COPO



1st ANNUAL REUNION

HONDA MOTOR CORPORATION

HONDA MOTOR CORPORATION

CATV AND CABLE TELEVISION

SATURDAY, OCTOBER 12, 1968

8:00 AM - 9:00 AM - HONDA MOTOR CORPORATION

9:00 AM - 10:00 AM - HONDA MOTOR CORPORATION

10:00 AM - 11:00 AM - HONDA MOTOR CORPORATION

11:00 AM - 12:00 PM - HONDA MOTOR CORPORATION

1:00 PM - 2:00 PM - HONDA MOTOR CORPORATION

2:00 PM - 3:00 PM - HONDA MOTOR CORPORATION

3:00 PM - 4:00 PM - HONDA MOTOR CORPORATION

4:00 PM - 5:00 PM - HONDA MOTOR CORPORATION

5:00 PM - 6:00 PM - HONDA MOTOR CORPORATION

6:00 PM - 7:00 PM - HONDA MOTOR CORPORATION

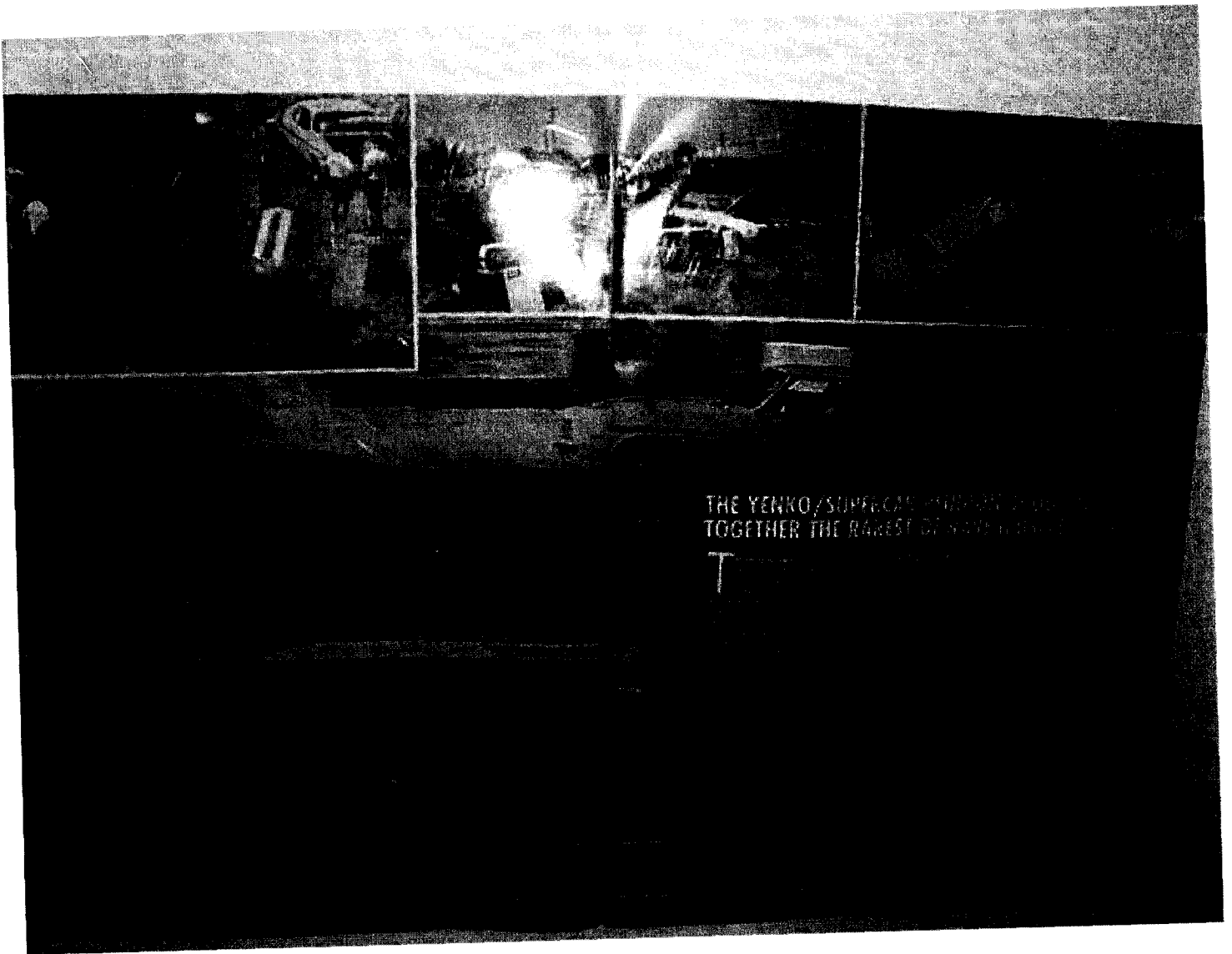
7:00 PM - 8:00 PM - HONDA MOTOR CORPORATION

8:00 PM - 9:00 PM - HONDA MOTOR CORPORATION

9:00 PM - 10:00 PM - HONDA MOTOR CORPORATION

10:00 PM - 11:00 PM - HONDA MOTOR CORPORATION

11:00 PM - 12:00 AM - HONDA MOTOR CORPORATION



THE YENKO/SUPERCAR MYTHOS OF THE 1960s
TOGETHER THE RAREST OF RARE

THE
YENKO/SUPERCAR
MYTHOS OF THE 1960s
TOGETHER THE RAREST OF RARE





XENKO
1111





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Terri Yenke Gould, Executor v. Supercar
Collectables Ltd., et al.
Cancellation Proceeding No. 92052197
Respondent's Exhibit No. 101

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Mon Oct 31 04:35:46 EDT 2011

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Record 1 out of 1

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 (Use the "Back" button of the Internet Browser to return to TESS)



Word Mark	SYC YENKE SPORTSCAR CLUB
Goods and Services	IC 025. US 022 039. G & S: Headgear, namely, caps; T-shirts. FIRST USE: 19980905. FIRST USE IN COMMERCE: 19980905
	IC 035. US 100 101 102. G & S: Club services, namely, promoting the interests of sports car enthusiasts. FIRST USE: 19980101. FIRST USE IN COMMERCE: 19980101
Mark Drawing Code	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Serial Number	77899255
Filing Date	December 22, 2009
Current Filing Basis	1A
Original Filing Basis	1A
Owner	(APPLICANT) Yenke Sportscar Club CORPORATION MISSOURI P.O. Box 375 Alton MISSOURI 65606
Attorney of Record	George E. Bullwinkel
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SPORTSCAR CLUB" APART FROM THE MARK AS SHOWN
Description of Mark	Color is not claimed as a feature of the mark. The mark consists of the letters SYC and words Yenke Sportscar Club.
Type of Mark	TRADEMARK. SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE LIST	SEARCH OG	TOP	HELP
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Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-10-31 16:35:02 ET

Serial Number: 77899255 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark



(words only): SYC YENKO SPORTSCAR CLUB

Standard Character claim: No

Current Status: Suspension check completed. Application remains suspended.

Date of Status: 2011-04-29

Filing Date: 2009-12-22

Filed as TEAS Plus Application: Yes

Currently TEAS Plus Application: Yes

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 102

Attorney Assigned:
BUTLER ANDREA P

Current Location: L20 -TMEG Law Office 102

Date In Location: 2011-04-29

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Yenko Sportscar Club

Address:

Yenko Sportscar Club
P.O. Box 375
Alton, MO 65606
United States

Legal Entity Type: Corporation**State or Country of Incorporation:** Missouri

GOODS AND/OR SERVICES

International Class: 025**Class Status:** Active

Headgear, namely, caps; T-shirts

Basis: 1(a)**First Use Date:** 1998-09-05**First Use in Commerce Date:** 1998-09-05**International Class:** 035**Class Status:** Active

Club services, namely, promoting the interests of sports car enthusiasts

Basis: 1(a)**First Use Date:** 1998-01-01**First Use in Commerce Date:** 1998-01-01

ADDITIONAL INFORMATION

Color(s) Claimed: Color is not claimed as a feature of the mark.**Disclaimer:** "SPORTSCAR CLUB"**Description of Mark:** The mark consists of the letters SYC and words Yenko Sportscar Club.

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2011-04-29 - Report Completed Suspension Check Case Still Suspended

2011-04-28 - Assigned To LIE

2010-10-26 - Notification Of Letter Of Suspension E-Mailed
2010-10-26 - LETTER OF SUSPENSION E-MAILED
2010-10-26 - Suspension Letter Written
2010-09-24 - Teas/Email Correspondence Entered
2010-09-23 - Communication received from applicant
2010-09-23 - TEAS Response to Office Action Received
2010-03-25 - Notification Of Non-Final Action E-Mailed
2010-03-25 - Non-final action e-mailed
2010-03-25 - Non-Final Action Written
2010-03-22 - Assigned To Examiner
2009-12-29 - New Application Office Supplied Data Entered In Tram
2009-12-25 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

George E. Bullwinkel

Correspondent

GEORGE E. BULLWINKEL
425 WOODSIDE AVE
HINSDALE, IL 60521-4647
Phone Number: 630 418 2273
Fax Number: 643 214 3210

To: Yenko Sportscar Club (geb@bullwinkel.com)
Subject: U.S. TRADEMARK APPLICATION NO. 77899255 - SYNC YENKO SPORTSCAR CLUB - N/A
Sent: 10/26/2010 4:07:51 PM
Sent As: ECOM102@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 77899255

MARK: SYNC YENKO SPORTSCAR CLUB

77899255

CORRESPONDENT ADDRESS:

GEORGE E. BULLWINKEL
425 WOODSIDE AVE
HINSDALE, IL 60521-4647

GENERAL TRADEMARK INFORMATION:
<http://www.uspto.gov/main/trademarks.htm>

APPLICANT: Yenko Sportscar Club

CORRESPONDENT'S REFERENCE/DOCKET

NO:

N/A

CORRESPONDENT E-MAIL ADDRESS:

geb@bullwinkel.com

NOTICE OF SUSPENSION

ISSUE/MAILING DATE: 10/26/2010

SUSPENSION PROCEDURE: This suspension notice serves to suspend action on the application for the reason(s) specified below. No response is needed. However, if you wish to respond to this notice, you should use the "Response to Letter of Suspension" form found at <http://teasroa.uspto.gov/rsi/rsi>. The Office will conduct periodic status checks to determine if suspension remains appropriate.

The disclaimer and proposed amendment to the identification of services is accepted and the requirements are now satisfied.

Action on this application is suspended pending the disposition of:

- Application Serial No(s). **77598498, 77149025, 77149030, 77978267, and 77978779**

Since applicant's effective filing date is subsequent to the effective filing date of the above-identified application(s), the latter, if and when it registers, may be cited against this application in a refusal to register under Section 2(d) of the Trademark Act, 15 U.S.C. §1052(d). See 37 C.F.R. §2.83; TMEP §§1208 et seq. A copy of information relevant to this pending application(s) **was sent previously**.

Applicant may submit a request to remove the application from suspension to present arguments related to the potential conflict between the relevant application(s) or other arguments related to the ground for suspension. TMEP §716.03. Applicant's election not to present arguments during suspension will not affect the applicant's right to present arguments later should a refusal in fact issue. If a refusal does issue, applicant will be afforded 6 months from the mailing or e-mailing date of the Office action to submit a response. 15 U.S.C. §1062(b); 37 C.F.R. §2.62.

Not all of the prior pending applications have registered at this time. Additional refusals, if necessary, will issue once all of the prior pending applications have registered or otherwise been resolved.

The following refusal(s)/requirement(s) is/are continued and maintained:

The Section 2(d) refusals with respect to U.S. Registration Nos. 3161668, 3097652, 3585627, 2314585, 3585627, 3083835, 3607796 is continued and maintained at this time.

/Andrea P. Butler/
Andrea P. Butler
Trademark Examining Attorney
Law Office 102
(571) 272-7491
andrea.butler@uspto.gov

STATUS CHECK: Check the status of the application at least once every six months from the initial filing date using the USPTO Trademark Applications and Registrations Retrieval (TARR) online system at <http://tarr.uspto.gov>. When conducting an online status check, print and maintain a copy of the complete TARR screen. If the status of your application has not changed for more than six months, please contact the assigned examining attorney.

To: Yenko Sportscar Club (geb@bullwinkel.com)
Subject: U.S. TRADEMARK APPLICATION NO. 77899255 - SYC YENKO SPORTSCAR CLUB - N/A
Sent: 10/26/2010 4:07:54 PM
Sent As: ECOM102@USPTO.GOV
Attachments:

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

**USPTO LETTER (AN OFFICE ACTION) HAS ISSUED ON 10/26/2010 FOR
SERIAL NO. 77899255**

Please follow the instructions below:

TO READ OFFICE LETTER: Click on this [link](#) or go to <http://portal.uspto.gov/external/portal/tow> and enter the application serial number to [access](#) the Office letter

PLEASE NOTE: The Office letter may not be immediately available but will be viewable within 24 hours of this e-mail notification.

HELP: For *technical* assistance in accessing the Office correspondence, please e-mail TDR@uspto.gov. Please contact the assigned examining attorney with questions about the Office letter.

Trademark Snap Shot Amendment & Mail Processing Stylesheet
(Table presents the data on Amendment & Mail Processing Complete)

OVERVIEW

SERIAL NUMBER	77899255	FILING DATE	12/22/2009
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	BUTLER, ANDREA P	L.O. ASSIGNED	102

PUB INFORMATION

RUN DATE	09/25/2010		
PUB DATE	N/A		
STATUS	661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED		
STATUS DATE	09/24/2010		
LITERAL MARK ELEMENT	SYC YENKO SPORTSCAR CLUB		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	SYC YENKO SPORTSCAR CLUB

MARK DRAWING CODE	5-AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) IN STYLIZED FORM
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Yenko Sportscar Club
ADDRESS	P.O. Box 375 Alton, MO 65606
ENTITY	03-CORPORATION
CITIZENSHIP	Missouri

GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Headgear, namely, caps; T-shirts
INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Club services, namely, promoting the interests of sports car enthusiasts

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	09/05/1998	FIRST USE IN COMMERCE DATE	09/05/1998	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	035	FIRST USE DATE	01/01/1998	FIRST USE IN COMMERCE DATE	01/01/1998	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DISCLAIMER W/PREDETER TXT	"SPORTSCAR CLUB"
DESCRIPTION OF MARK	The mark consists of the letters SYC and words Yenke Sportscar Club.

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
09/24/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009

09/23/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
09/23/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
03/25/2010	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
03/25/2010	GNRT	F	NON-FINAL ACTION E-MAILED	005
03/25/2010	CNRT	R	NON-FINAL ACTION WRITTEN	004
03/22/2010	DOCK	D	ASSIGNED TO EXAMINER	003
12/29/2009	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
12/25/2009	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	George E. Bullwinkel
CORRESPONDENCE ADDRESS	GEORGE E. BULLWINKEL 425 WOODSIDE AVE HINSDALE, IL 60521-4647
DOMESTIC REPRESENTATIVE	NONE

SYC

Yenko Sportscar Club

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77899255
LAW OFFICE ASSIGNED	LAW OFFICE 102
MARK SECTION (no change)	
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	evi_9044118175-060839669_Response to OA.pdf
CONVERTED PDF FILE(S) (6 pages)	\\TICRS\EXPORT11\IMAGEOUT11\778\992\77899255\xml1\ROA0002.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\778\992\77899255\xml1\ROA0003.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\778\992\77899255\xml1\ROA0004.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\778\992\77899255\xml1\ROA0005.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\778\992\77899255\xml1\ROA0006.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\778\992\77899255\xml1\ROA0007.JPG
DESCRIPTION OF EVIDENCE FILE	Written argument; Appendix A
GOODS AND/OR SERVICES SECTION (025)(no change)	
GOODS AND/OR SERVICES SECTION (035)(current)	
INTERNATIONAL CLASS	035
DESCRIPTION	
Club services, namely, promoting the interests of Yenke car enthusiasts	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 01/01/1998
FIRST USE IN COMMERCE DATE	At least as early as 01/01/1998

GOODS AND/OR SERVICES SECTION (035)(proposed)	
INTERNATIONAL CLASS	035
TRACKED TEXT DESCRIPTION	
Club services, namely, promoting the interests of Yenko car enthusiasts; <u>Club services, namely, promoting the interests of sports car enthusiasts.</u>	
FINAL DESCRIPTION	
Club services, namely, promoting the interests of sports car enthusiasts.	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 01/01/1998
FIRST USE IN COMMERCE DATE	At least as early as 01/01/1998
ADDITIONAL STATEMENTS SECTION	
DISCLAIMER	No claim is made to the exclusive right to use SPORTSCAR CLUB apart from the mark as shown.
SIGNATURE SECTION	
RESPONSE SIGNATURE	/George E. Bullwinkel/
SIGNATORY'S NAME	George E. Bullwinkel
SIGNATORY'S POSITION	Attorney of record, Illinois bar member
DATE SIGNED	09/23/2010
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Thu Sep 23 06:21:19 EDT 2010
TEAS STAMP	USPTO/ROA-90.44.118.175-2 0100923062119466467-77899 255-470f737a78eea1427b879 694c6fcb63c924-N/A-N/A-20 100923060839669687

Response to Office Action
To the Commissioner for Trademarks:

Application serial no. **77899255** has been amended as follows:

EVIDENCE

Evidence in the nature of Written argument; Appendix A has been attached.

Original PDF file:

evi_9044118175-060839669 . Response to OA.pdf

Converted PDF file(s) (6 pages)

Evidence-1

Evidence-2

Evidence-3

Evidence-4

Evidence-5

Evidence-6

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 035 for Club services, namely, promoting the interests of Yenke car enthusiasts

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 01/01/1998 and first used in commerce at least as early as 01/01/1998, and is now in use in such commerce.

Proposed:

Tracked Text Description: ~~Club services, namely, promoting the interests of Yenke car enthusiasts;~~ Club services, namely, promoting the interests of sports car enthusiasts.

Class 035 for Club services, namely, promoting the interests of sports car enthusiasts.

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 01/01/1998 and first used in commerce at least as early as 01/01/1998, and is now in use in such commerce.

ADDITIONAL STATEMENTS

Disclaimer

No claim is made to the exclusive right to use SPORTSCAR CLUB apart from the mark as shown.

SIGNATURE(S)

Response Signature

Signature: /George E. Bullwinkel/ Date: 09/23/2010

Signatory's Name: George E. Bullwinkel

Signatory's Position: Attorney of record, Illinois bar member

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal

territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 77899255

Internet Transmission Date: Thu Sep 23 06:21:19 EDT 2010

TEAS Stamp: USPTO/ROA-90.44.118.175-2010092306211946

6467-77899255-470f737a78eea1427b879694c6

fc63c924-N/A-N/A-20100923060839669687

Background

Applicant acknowledges the examining attorney's informal email communication of August 5, 2010. This response provides the additional information requested about Reg. No. 2049857 of YENKO for "toy cars".

The YENKO name was first made famous in automotive circles in the 1960s and 1970s by Donald Frank Yenke, a specialty racing automobile constructor. The Estate of Donald Frank Yenke, also represented by the undersigned, has petitioned to cancel this registration (TTAB No. 92052197). A copy of the Estate's Grounds for Cancellation is attached as Appendix A. However, the undersigned was informed last week that Reg. No. 2049857 of YENKO for "toy cars" was assigned on September 9, 2010 to General Marketing Capital Inc. (GMCI). GMCI is now the owner of not just this one registration, but all of the registrations and pending applications cited against the present application to register.

The Estate and GMCI are now engaged in amicable negotiations with a view to a global settlement in which all of the YENKO marks would be placed under common ownership for the benefit of Don Yenke's family and heirs, and then licensed back to established responsible users such as GMCI. The present applicant is the only entity ever authorized by the Estate to use the YENKO name for sportscar-related purposes. Thus the anticipated resolution would also resolve all the conflicts noted in the present application to register.

For this reason Applicant is contesting the refusal to register, not just to obtain approval for publication, but also to keep this application pending until the anticipated settlement between the Estate and GMCI can be achieved. Then, because Applicant is exclusively authorized by the Estate to use the YENKO name for membership services, any potential conflicts noted in the Office Action will be easily resolved.

The Present Application

Turning to the issues of the present application, Applicant is requesting registration in the following classes for the goods and/or services: "headgear, namely caps; t-shirts" in IC 025, and "club services, namely, promoting the interests of Yenke car enthusiasts." in IC 035.

Section 2(d) – Likelihood of Confusion

Registration stands refused under Section 2(d) based on prior registrations Nos. 3161668, 3097652, 3585627, 2314585, 3585627, 3083835, 3607796.

Prior Pending Applications

Registration also stands refused on the basis of potential conflict with pending applications Serial Nos. 77598498, 77149025, 77149030, 77978267, and 77978779.

As noted above, all of the above registrations and pending applications (and now Reg. 2049857 of YENKO for “toy cars”, not previously cited) now belong to General Marketing Capital Inc. (GMCI), a California-based aftermarket supplier of automotive specialty products. The Estate of Donald Frank Yenke, Applicant's licensor, is engaged in settlement negotiations with GMCI which may soon resolve all the above issues for the joint benefit of the Estate, GMCI, and also Applicant.

Disclaimer Required

As suggested, Applicant will adopt the following disclaimer:

No claim is made to the exclusive right to use “SPORTSCAR CLUB” apart from the mark as shown.

Identification of Services

As suggested, Applicant will adopt the following statement of services:

Class 035: Club services, namely, promoting the interests of sports car enthusiasts.

The Office Action notes that four of the above-cited prior YENKO registrations (Nos. 3585627, 3097652 and 3161668) would bar Applicant from using the YENKO name as part of its name. It also requests that Applicant delete the name YENKO from its mark based on these prior registrations.

Applicant again points out that its purpose, as authorized by the Don Yenke Estate, is to identify it as the exclusive authorized entity for the support of YENKO automobile enthusiasts, a service which it has been performing under the name YENKO SPORTSCAR CLUB for more than 12 years with no conflict or confusion with these registrations, all of which are owned by GMCI. With the Estate's written permission in 1998, Applicant adopted and used the YENKO name for its club services and related merchandise.

If Applicant were required to delete YENKO from its name would strip the Club of its principal purpose, namely, to be a repository of information and history about YENKO automobiles and their owners. Also, the cited registrations, by purporting to claim exclusive rights in Don Yenke's name and reputation, were thus obtained in violation of 15 USC Sec. 2(a) by falsely claiming approval

affiliation with the Yenko Estate and heirs.

Conclusion

In view of the above points, and in particular the fact that pending negotiations with GMCI (now the holder of all of the potentially conflicting registrations and pending applications) may well resolve all of the issues noted in the Office Action, Applicant requests that either (1) the application be approved for publication, or (2) that further action be stayed until the outcome of TTAB , the resolution of which will almost certainly coincide with the global settlement being negotiated between the Yenko Estate and GMCI.

Respectfully submitted,

/George E. Bullwinkel/
Attorney for Applicant

George E. Bullwinkel
425 Woodside Avenue
Hinsdale, Illinois 60521
Tel. 630-418-2273
Fax 630-214-3210
email: geb@bullwinkel.com

APPENDIX A

Terri Yenko Gould, Executor,)	
)	
Petitioner)	
)	
v.)	Cancellation No. 92052197
)	
SuperCar Collectibles, Limited)	
)	
Registrant)	

PETITIONER'S STATEMENT OF GROUNDS FOR CANCELATION

1. The petitioner represents the estate and heirs of Donald Frank "Don" Yenko, who until his untimely death in 1987 was the designer and builder of a well-known and respected line of competition and sports vehicles sold under the YENKO name and trademark. Between 1966 and 1981, over 800 high-performance vehicles were manufactured and sold under his direction and control under the YENKO name and mark.

2. At one time, Don Yenko, through his company Yenko Sportscars, Inc., was the owner of U.S. Trademark Registration 0930794, Registered March 14, 1972, for the following YENKO and Design, which registration was not renewed and therefore expired in 1992:



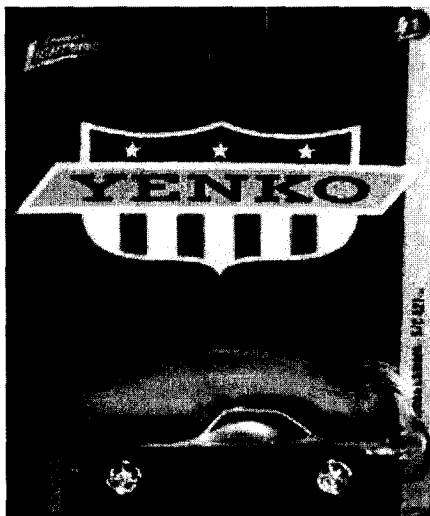
3. However, Don Yenko's name and reputation have remained strong to the present day because of the continued interest and devoted efforts of thousands of automobile enthusiasts, including, but not limited to, members of the Yenko Sportscar Club, a Missouri not-for-profit corporation formed in 1998. In connection with its membership services, the Club enjoys the exclusive use of the YENKO name and mark by virtue of written permission from the Estate and heirs of Don Yenko, which permission states in pertinent part:

"[A] national organization needs to be developed to better handle the ever increasing problem of proving the difference between a fake Yenko automobile and the original. It is also vitally

important to crate a safe-guard for all other Yenke artifacts which help preserve the important history of the Yenke legacy."

4. The respondent's predecessor in interest, James Sullivan, (Sullivan) was an individual who, without the knowledge or permission of the Estate and heirs of Don Yenke, claimed ownership of rights in the name and mark YENKO for "toy cars", and applied for and was issued U.S. Trademark Registration No. 2049857, registered April 1, 1997. USPTO records indicate that this registration was subsequently assigned to the respondent SuperCar Collectibles Ltd. ("SuperCar") of 508 81st Avenue, North Minneapolis, Minnesota 55444, on or about March 15, 1998.

5. SuperCar markets and sells in interstate commerce unauthorized replicas of genuine YENKO automobiles, one of which is pictured below:



6. SuperCar, on information and belief, and without the knowledge or permission of the Estate and heirs, has granted one or more purported licenses to others to use the name and mark YENKO on various products sold in interstate commerce, including but not limited to model reproductions of genuine YENKO automobiles, an example of which is shown below:



7. Other than the limited permission given the Yenko Sportscar Club noted above, the Estate and heirs have never given Sullivan, SuperCar, or anyone else, permission to use the name or mark YENKO for any purpose, or to license it to others.

8. SuperCar's use of the YENKO name and mark, including but not limited to the registration in question, therefore

(a) falsely suggests a connection with the Estate and heirs of Don Yenko, in violation of the Trademark Act section 2(a); and

(b) the marks in question are being used by the registrant so as to misrepresent the source of the goods or services on or in connection with which the mark is used, in violation of the Trademark Act section 14.

9. For the foregoing reasons, the petitioner Estate of Donald Frank Yenko prays that U.S. Trademark Registration No. 2049857, be canceled, and that it be granted such other and further relief as may be just.

To: Yenka Sportscar Club (geb@bullwinkel.com)

Subject: U.S. TRADEMARK APPLICATION NO. 77899255 - SYC YENKO
SPORTSCAR CLUB - N/A

Sent: 3/25/2010 1:09:16 PM

Sent As: ECOM102@USPTO.GOV

Attachments: [Attachment - 1](#)
[Attachment - 2](#)
[Attachment - 3](#)
[Attachment - 4](#)
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[Attachment - 6](#)
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Attachment - 55

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 77/899255

MARK: SYC YENKO SPORTSCAR CLUB

77899255

CORRESPONDENT ADDRESS:

GEORGE E. BULLWINKEL
425 WOODSIDE AVE
HINSDALE, IL 60521-4647

RESPOND TO THIS ACTION:

<http://www.uspto.gov/teas/eTEASpageD.htm>

GENERAL TRADEMARK INFORMATION:

<http://www.uspto.gov/main/trademarks.htm>

APPLICANT: Yenko Sportscar Club

**CORRESPONDENT'S REFERENCE/DOCKET
NO:**

N/A

CORRESPONDENT E-MAIL ADDRESS:

geb@bullwinkel.com

OFFICE ACTION

TO AVOID ABANDONMENT, THE OFFICE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF THE ISSUE/MAILING DATE.

ISSUE/MAILING DATE: 3/25/2010

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

Section 2(d) – Likelihood of Confusion

Registration of the applied-for mark is refused because of a likelihood of confusion with the marks in U.S. Registration Nos. 3161668, 3097652, 3585627, 2314585, 3585627, 3083835, 3607796. Trademark Act Section 2(d), 15 U.S.C. §1052(d); *see* TMEP §§1207.01 *et seq.* See the enclosed registrations.

Trademark Act Section 2(d) bars registration of an applied-for mark that so resembles a registered mark that it is likely that a potential consumer would be confused or mistaken or deceived as to the source of the goods and/or services of the applicant and registrant. *See* 15 U.S.C. §1052(d). The court in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563 (C.C.P.A. 1973) listed the principal factors to be considered when determining whether there is a likelihood of confusion under Section 2(d). *See* TMEP §1207.01. However, not all of the factors are necessarily relevant or of equal weight, and any one factor may be dominant in a given case, depending upon the evidence of record. *In re Majestic Distilling Co.*, 315 F.3d 1311, 1315, 65 USPQ2d 1201, 1204 (Fed. Cir. 2003); *see In re E. I. du Pont*, 476 F.2d at 1361-62, 177 USPQ at 567.

In this case, the following factors are the most relevant: similarity of the marks, similarity of the goods and/or services, and similarity of trade channels of the goods and/or services. *See In re Opus One, Inc.*, 60 USPQ2d 1812 (TTAB 2001); *In re Dakin's Miniatures Inc.*, 59 USPQ2d 1593 (TTAB 1999); *In re Azteca Rest. Enters., Inc.*, 50 USPQ2d 1209 (TTAB 1999); TMEP §§1207.01 *et seq.*

In a likelihood of confusion determination, the marks are compared for similarities in their appearance, sound, meaning or connotation and commercial impression. *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973); TMEP §1207.01(b). Similarity in any one of these elements may be sufficient to find a likelihood of confusion. *In re White Swan Ltd.*, 8 USPQ2d 1534, 1535 (TTAB 1988); *In re Lamson Oil Co.*, 6 USPQ2d 1041, 1043 (TTAB 1987); *see* TMEP §1207.01(b).

The Marks

Applicant's mark is SYC YENKO SPORTSCAR CLUB. The cited registrations comprise a family of marks which consist in whole or in part of SYC or YENKO and/or a design. The applicant has combined the SYC and YENKO registered marks in its own mark. Marks may be confusingly similar in appearance where there are similar terms or phrases or similar parts of terms or phrases appearing in both applicant's and registrant's mark. *See Crocker Nat'l Bank v. Canadian Imperial Bank of Commerce*, 228 USPQ 689 (TTAB 1986), *aff'd sub nom. Canadian Imperial Bank of Commerce v. Wells Fargo Bank, Nat'l Ass'n*, 811 F.2d 1490, 1 USPQ2d 1813 (Fed. Cir. 1987) (COMMASH and COMMUNICASH); *In re Phillips-Van Heusen Corp.*, 228 USPQ 949 (TTAB 1986) (21 CLUB and "21" CLUB (stylized)); *In re Corning*

Glass Works, 229 USPQ 65 (TTAB 1985) (CONFIRM and CONFIRMCELLS); *In re Collegian Sportswear Inc.*, 224 USPQ 174 (TTAB 1984) (COLLEGIAN OF CALIFORNIA and COLLEGIENNE); *In re Pellerin Milnor Corp.*, 221 USPQ 558 (TTAB 1983) (MILTRON and MILLTRONICS); *In re BASF A.G.*, 189 USPQ 424 (TTAB 1975) (LUTEXAL and LUTEX); TMEP §1207.01(b)(ii)-(iii).

The addition of the terms “SPORTSCAR CLUB” to the registrant’s marks does not obviate the refusal. The mere addition of a term to a registered mark generally does not obviate the similarity between the marks nor does it overcome a likelihood of confusion under Trademark Act Section 2(d). See *In re Chatam Int’l Inc.*, 380 F.3d 1340, 71 USPQ2d 1944 (Fed. Cir. 2004) (GASPAR’S ALE and JOSE GASPAR GOLD); *Coca-Cola Bottling Co. v. Jos. E. Seagram & Sons, Inc.*, 526 F.2d 556, 188 USPQ 105 (C.C.P.A. 1975) (BENGAL and BENGAL LANCER); *Lilly Pulitzer, Inc. v. Lilli Ann Corp.*, 376 F.2d 324, 153 USPQ 406 (C.C.P.A. 1967) (THE LILLY and LILLI ANN); *In re El Torito Rests., Inc.*, 9 USPQ2d 2002 (TTAB 1988) (MACHO and MACHO COMBOS); *In re Corning Glass Works*, 229 USPQ 65 (TTAB 1985) (CONFIRM and CONFIRMCELLS); *In re U.S. Shoe Corp.*, 229 USPQ 707 (TTAB 1985) (CAREER IMAGE and CREST CAREER IMAGES); *In re Riddle*, 225 USPQ 630 (TTAB 1985) (ACCUTUNE and RICHARD PETTY’S ACCU TUNE); *In re Cosvetic Labs., Inc.*, 202 USPQ 842 (TTAB 1979) (HEAD START and HEAD START COSVETIC); TMEP §1207.01(b)(iii).

The Goods/Services

The goods and/or services of the parties need not be identical or directly competitive to find a likelihood of confusion. See *Safety-Kleen Corp. v. Dresser Indus., Inc.*, 518 F.2d 1399, 1404, 186 USPQ 476, 480 (C.C.P.A. 1975); TMEP §1207.01(a)(i). Rather, it is sufficient that the goods and/or services are related in some manner and/or the conditions surrounding their marketing are such that they would be encountered by the same purchasers under circumstances that would give rise to the mistaken belief that the goods and/or services come from a common source. *In re Total Quality Group, Inc.*, 51 USPQ2d 1474, 1476 (TTAB 1999); TMEP §1207.01(a)(i); see, e.g., *On-line Careline Inc. v. Am. Online Inc.*, 229 F.3d 1080, 1086-87, 56 USPQ2d 1471, 1475-76 (Fed. Cir. 2000); *In re Martin’s Famous Pastry Shoppe, Inc.*, 748 F.2d 1565, 1566-68, 223 USPQ 1289, 1290 (Fed. Cir. 1984).

The applicant’s goods and services are “headgear, namely caps; t-shirts; club services, namely promoting the interests of Yenke car enthusiasts.”

The registrant’s goods and services under the YENKO mark are “automobiles and automotive parts and accessories, namely wheel caps, spoilers, and emblems; clothing and headwear accessories, namely shirts, jackets and caps; metal parts for motor vehicles, namely decorative metal automotive emblems; decals; glass mugs; clothing, namely t-shirts and caps; and Mail order catalogue services featuring parts and accessories for the restoration of classic automobiles; wholesale distributorships featuring parts and accessories for the restoration of classic automobiles.”

The registrant’s goods under the SYC mark are “automotive parts and accessories, namely seat upholstery; vinyl decals.”

In this case, Applicant’s “club services” are for owners/enthusiasts of a particular motor vehicle. The cited registrations specify various motor vehicles and other goods/services that are typically offered to club members (such as clothing, collectibles, keychains, license plates, and printed materials). See attached third-party registration evidence showing automobiles such as CADILLAC, CORVETTE and MUSTANG registrations for such goods.

Attached are copies of printouts from the USPTO X-Search database, which show third-party registrations of marks used in connection with the same or similar goods and/or services as those of applicant and registrant in this case. These printouts have probative value to the extent that they serve to suggest that the goods and/or services listed therein, namely automobiles, clothing carrying the same name and collectibles under the same name, are of a kind that may emanate from a single source. *In re Infinity Broad. Corp. of Dallas*, 60 USPQ2d 1214, 1217-18 (TTAB 2001); *In re Albert Trostel & Sons Co.*, 29 USPQ2d 1783, 1785-86 (TTAB 1993); *In re Mucky Duck Mustard Co.*, 6 USPQ2d 1467, 1470 n.6 (TTAB 1988); TMEP §1207.01(d)(iii).

Given the similar marks and the same goods and related services, confusion as to source is likely and therefore, registration is refused under Trademark Act Section 2(d) based on a likelihood of confusion.

Although applicant's mark has been refused registration, applicant may respond to the refusal(s) by submitting evidence and arguments in support of registration.

Prior Pending Applications

The filing date of pending Application Serial Nos. 77598498, 77149025, 77149030, 77978267, and 77978779 precedes applicant's filing date. See attached referenced applications. If one or more of the marks in the referenced applications register, applicant's mark may be refused registration under Trademark Act Section 2(d) because of a likelihood of confusion with the registered mark(s). See 15 U.S.C. §1052(d); 37 C.F.R. §2.83; TMEP §§1208 *et seq.* Therefore, upon receipt of applicant's response to this Office action, action on this application may be suspended pending final disposition of the earlier-filed referenced application.

In response to this Office action, applicant may present arguments in support of registration by addressing the issue of the potential conflict between applicant's mark and the marks in the referenced applications. Applicant's election not to submit arguments at this time in no way limits applicant's right to address this issue later if a refusal under Section 2(d) issues.

Applicant must respond to the requirement(s) set forth below.

Disclaimer Required

Applicant must insert a disclaimer of SPORTSCAR CLUB in the application because it is descriptive of the services. See 15 U.S.C. §1056(a); TMEP §§1213, 1213.03(a). The applicant's services are a club for the sportscar enthusiast. See applicant's identification.

The following is the accepted standard format for a disclaimer:

No claim is made to the exclusive right to use "SPORTSCAR CLUB" apart from the mark as shown.

TMEP §1213.08(a)(i).

The Office can require an applicant to disclaim an unregistrable part of a mark consisting of particular

wording, symbols, numbers, design elements, or combinations thereof. 15 U.S.C. §1056(a). Under Trademark Act Section 2(e), the Office can refuse registration of an entire mark if the entire mark is merely descriptive, deceptively misdescriptive, or primarily geographically descriptive of the goods and/or services. 15 U.S.C. §1052(e). Thus, the Office may require an applicant to disclaim a portion of a mark that, when used in connection with the goods and/or services, is merely descriptive, deceptively misdescriptive, primarily geographically descriptive, or otherwise unregistrable (e.g., generic). *See* TMEP §§1213, 1213.03.

Failure to comply with a disclaimer requirement can result in a refusal to register the entire mark. TMEP §1213.01(b).

A “disclaimer” is a statement that applicant does not claim exclusive rights to an unregistrable component of a mark. TMEP §1213. A disclaimer does not affect the appearance of the applied-for mark. *See* TMEP §1213.10.

Identification of Services

The identification of services is indefinite and must be clarified. *See* TMEP §1402.01.

The wording “YENKO” in the identification of services is a registered mark not owned by applicant. *See* enclosed copy of U.S. Registration No(s). 3585627, 3097652 and 3161668. In its own application, an applicant may use its own registered mark in an identification of goods or services, but may not use a registered mark owned by another party. A registered mark indicates origin in one party and cannot be used to define goods or services that originate in a party other than the registrant. TMEP §1402.09; *see Camloc Fastener Corp. v. Grant*, 119 USPQ 264, 264 n.1 (TTAB 1958).

Therefore, applicant must amend the identification of services by deleting the wording “YENKO” and substituting the common commercial or generic name for the services.

Applicant may adopt the following identification, if accurate:

Class 35:

Club services, namely, promoting the interests of **sports car** enthusiasts.

Identifications of services can be amended only to clarify or limit the services; adding to or broadening the scope of the services is not permitted. 37 C.F.R. §2.71(a); *see* TMEP §§1402.06 *et seq.*, 1402.07. Therefore, applicant may not amend the identification to include services that are not within the scope of the services set forth in the present identification.

Response to Action

TEAS PLUS APPLICANTS MUST SUBMIT DOCUMENTS ELECTRONICALLY OR SUBMIT FEE: Applicants who filed their application online using the reduced-fee TEAS Plus application must continue to submit certain documents online using TEAS, including responses to Office actions. For a complete list of these documents, *see* TMEP §819.02(b). In addition, such applicants must accept correspondence from the Office via e-mail throughout the examination process and must maintain a valid e-mail address. 37 C.F.R. §2.23(a)(2); TMEP §§819, 819.02(a). TEAS Plus applicants who do not meet these requirements must submit an additional fee of \$50 per international class of goods and/or services. 37

C.F.R. §2.6(a)(1)(iv); TMEP §819.04. Responding by telephone to authorize an examiner's amendment will not incur this additional fee.

/Andrea P. Butler/
Andrea P. Butler
Trademark Examining Attorney
Law Office 102
(571) 272-7491
andrea.butler@uspto.gov

RESPOND TO THIS ACTION: Applicant should file a response to this Office action online using the form at <http://www.uspto.gov/teas/eTEASpageD.htm>, waiting 48-72 hours if applicant received notification of the Office action via e-mail. For *technical* assistance with the form, please e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned examining attorney. **Do not respond to this Office action by e-mail; the USPTO does not accept e-mailed responses.**

If responding by paper mail, please include the following information: the application serial number, the mark, the filing date and the name, title/position, telephone number and e-mail address of the person signing the response. Please use the following address: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451.

STATUS CHECK: Check the status of the application at least once every six months from the initial filing date using the USPTO Trademark Applications and Registrations Retrieval (TARR) online system at <http://tarr.uspto.gov>. When conducting an online status check, print and maintain a copy of the complete TARR screen. If the status of your application has not changed for more than six months, please contact the assigned examining attorney.

DESIGN MARK

Serial Number
77598498

Status
NOTICE OF ALLOWANCE - ISSUED

Word Mark
SYC

Standard Character Mark
No

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Owner
General Marketing Capital, Inc. CORPORATION CALIFORNIA 14700 Hoover
Street Westminster CALIFORNIA 92683

Goods/Services
Class Status -- ACTIVE. IC 025. US 022 039. G & S: Wearable
garments and clothing, namely, shirts.

Description of Mark
The mark consists of The letters "SYC" in stylized type with the
letter "Y" appearing larger than the letters "S" and "C".

Colors Claimed
Color is not claimed as a feature of the mark.

Filing Date
2008/10/22

Examining Attorney
CARLSON, KRISTIN

Attorney of Record
Robert D. Buyan

SYC

Print: Mar 25, 2010

75639497

DESIGN MARK

Serial Number

75639497

Status

REGISTERED AND RENEWED

Word Mark

YENKO

Standard Character Mark

No

Registration Number

2314585

Date Registered

2000/02/01

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

GENERAL MARKETING CAPITAL, INC. CORPORATION CALIFORNIA 14700 HOOVER
STREET WESTMINSTER CALIFORNIA 92683

Goods/Services

Class Status -- ACTIVE. IC 035. US 100 101 102. G & S: Mail order
catalogue services featuring parts and accessories for the restoration
of classic automobiles; wholesale distributorships featuring parts and
accessories for the restoration of classic automobiles. First Use:
1997/04/01. First Use In Commerce: 1997/04/01.

Filing Date

1999/02/08

Examining Attorney

BUSH, KAREN K.

Attorney of Record

Robert D. Buyan

YENKO

DESIGN MARK

Serial Number

77149025

Status

SECOND EXTENSION - GRANTED

Word Mark

YENKO

Standard Character Mark

Yes

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

GENERAL MARKETING CAPITAL, INC. CORPORATION CALIFORNIA 14700 HOOVER
STREET WESTMINSTER CALIFORNIA 92683

Goods/Services

Class Status -- ACTIVE. IC 012. US 019 021 023 031 035 044. G & S:
Motor land vehicles; motors for land vehicles; motor vehicle
accessories, namely, license plates, hood ornaments and shifter knobs,
namely, gear lever knobs.

Prior Registration(s)

2314585;3097652;3161668

Section 2f Statement

2(F) ENTIRE MARK

Filing Date

2007/04/04

Examining Attorney

HACK, ANDREA

Attorney of Record

Robert D. Buyan

YENKO

DESIGN MARK

Serial Number

77149030

Status

FIRST EXTENSION - GRANTED

Word Mark

YENKO DEUCE

Standard Character Mark

Yes

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

GENERAL MARKETING CAPITAL, INC. CORPORATION CALIFORNIA 14700 HOOVER
STREET WESTMINSTER CALIFORNIA 92683

Goods/Services

Class Status -- ACTIVE. IC 012. US 019 021 023 031 035 044. G & S:
Motor land vehicles; motors for land vehicles; motor vehicle
accessories, namely, automobile body emblems, license plate frames,
license plates, hood ornaments and shifter knobs, namely, gear lever
knobs.

Prior Registration(s)

2314585;3097652;3161668

Filing Date

2007/04/04

Examining Attorney

HACK, ANDREA

Attorney of Record

Robert D. Buyan

YENKO DEUCE

DESIGN MARK

Serial Number
77386059

Status
REGISTERED

Word Mark
YENKO

Standard Character Mark
No

Registration Number
3585627

Date Registered
2009/03/10

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

Owner
GENERAL MARKETING CAPITAL, INC. CORPORATION CALIFORNIA 14700 HOOVER
STREET WESTMINSTER CALIFORNIA 92683

Goods/Services
Class Status -- ACTIVE. IC 021. US 002 013 023 029 030 033 040 050.
G & S: Glass mugs. First Use: 2007/12/11. First Use In Commerce:
2007/12/11.

Goods/Services
Class Status -- ACTIVE. IC 016. US 002 005 022 023 029 037 038 050.
G & S: Decals. First Use: 1991/01/16. First Use In Commerce:
1991/01/16.

Goods/Services
Class Status -- ACTIVE. IC 012. US 019 021 023 031 035 044. G & S:
Metal parts for motor vehicles, namely, decorative metal automotive
emblems. First Use: 1991/12/20. First Use In Commerce: 1991/12/20.

Goods/Services
Class Status -- ACTIVE. IC 025. US 022 039. G & S: Clothing,
namely, t-shirts and caps. First Use: 1996/12/26. First Use In

Print: Mar 25, 2010

77386059

Commerce: 1997/01/02.

Prior Registration(s)

2314585;3097652;3161668

Description of Mark

The mark consists of astylized keystone/shield design with stars at the top, vertical stripes at the bottom and the word "YENKO."

Colors Claimed

Color is not claimed as a feature of the mark.

Filing Date

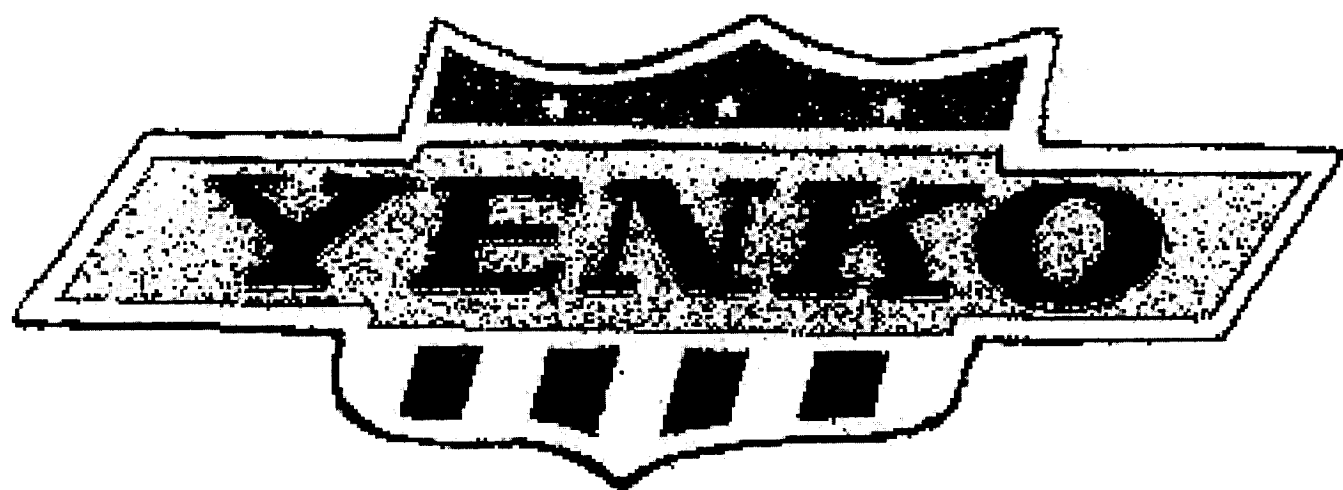
2008/01/31

Examining Attorney

KIDWELL WALKER, JACLYN

Attorney of Record

Robert D. Buyan



DESIGN MARK

Serial Number

77978267

Status

SU - NON-FINAL ACTION - MAILED

Word Mark

YENKO

Standard Character Mark

Yes

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

GENERAL MARKETING CAPITAL, INC. CORPORATION CALIFORNIA 14700 HOOVER
STREET WESTMINSTER CALIFORNIA 92683

Goods/Services

Class Status -- ACTIVE. IC 012. US 019 021 023 031 035 044. G & S:
Motor vehicle accessories, namely, automobile body emblems and license
plate frames. First Use: 2009/08/31. First Use In Commerce:
2009/08/31.

Prior Registration(s)

2314585;3097652;3161668

Section 2f Statement

2(F) ENTIRE MARK

Filing Date

2007/04/04

Examining Attorney

HACK, ANDREA

Attorney of Record

Robert D. Buyan

YENKO

DESIGN MARK

Serial Number

77978779

Status

SU - REGISTRATION REVIEW COMPLETE

Word Mark

YENKO

Standard Character Mark

Yes

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

General Marketing Capital, Inc. CORPORATION CALIFORNIA 14700 Hoover
Street Westminster CALIFORNIA 92683

Goods/Services

Class Status -- ACTIVE. IC 012. US 019 021 023 031 035 044. G & S:
Automotive vehicle parts, namely, ornamentation in the nature of
decorative metal emblems, hoods, exterior trim, rear spoilers, body
panels, badges and engine valve covers; Automotive vehicle interior
parts, namely, steering wheels. First Use: 1991/07/31. First Use In
Commerce: 1991/12/20.

Goods/Services

Class Status -- ACTIVE. IC 021. US 002 013 023 029 030 033 040 050.
G & S: Drinking glasses and mugs. First Use: 2007/11/08. First Use
In Commerce: 2007/11/08.

Goods/Services

Class Status -- ACTIVE. IC 025. US 022 039. G & S: Clothing,
namely, shirts and hats. First Use: 1996/07/15. First Use In
Commerce: 1996/08/27.

Prior Registration(s)

2314585;3097652;3161668

Section 2f Statement

2(F) ENTIRE MARK

Print: Mar 25, 2010

77978779

Issue: Apr 20, 2010

Filing Date

2008/04/24

Examining Attorney

KIDWELL WALKER, JACLYN

Attorney of Record

Robert D Buyan

YENKO

Print: Mar 25, 2010

78529604

DESIGN MARK

Serial Number
78529604

Status
REGISTERED

Word Mark
SYC

Standard Character Mark
No

Registration Number
3083835

Date Registered
2006/04/18

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

Owner
GENERAL MARKETING CAPITAL, INC. CORPORATION CALIFORNIA 18460 GOTHARD
STREET HUNTINGTON BEACH CALIFORNIA 926481229

Goods/Services
Class Status -- ACTIVE. IC 016. US 002 005 022 023 029 037 038 050.
G & S: Vinyl Decals. First Use: 1992/01/15. First Use In Commerce:
1992/01/15.

Filing Date
2004/12/09

Examining Attorney
OSBORNE, STANLEY I.

SYC

DESIGN MARK

Serial Number

78569598

Status

REGISTERED

Word Mark

YENKO

Standard Character Mark

Yes

Registration Number

3097652

Date Registered

2006/05/30

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

GENERAL MARKETING CAPITAL, INC. CORPORATION CALIFORNIA 14700 HOOVER
STREET WESTMINSTER CALIFORNIA 92683

Goods/Services

Class Status -- ACTIVE. IC 012. US 019 021 023 031 035 044. G & S:
Automobiles and Automotive parts and accessories, namely, wheel caps,
spoilers and emblems. First Use: 1997/04/01. First Use In Commerce:
1997/04/01.

Prior Registration(s)

2314585

Section 2f Statement

2(F) ENTIRE MARK

Filing Date

2005/02/17

Examining Attorney

OSBORNE, STANLEY I.

Print: Mar 25, 2010

78569598

Attorney of Record

Jo Anne M. Ybaben

YENKO

DESIGN MARK

Serial Number

78569618

Status

REGISTERED

Word Mark

YENKO

Standard Character Mark

Yes

Registration Number

3161668

Date Registered

2006/10/24

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

GENERAL MARKETING CAPITAL, INC. CORPORATION CALIFORNIA 14700 HOOVER STREET WESTMINSTER CALIFORNIA 92683

Goods/Services

Class Status -- ACTIVE. IC 025. US 022 039. G & S: use with clothing and headwear assessories, namely shirts, jackets and caps. First Use: 1997/04/01. First Use In Commerce: 1997/04/01.

Prior Registration(s)

2314585

Section 2f Statement

2(F) ENTIRE MARK

Filing Date

2005/02/17

Examining Attorney

LUKEN, BONNIE

Attorney of Record

Print: Mar 25, 2010

78569618

Jo Anne M. Ybaben

YENKO

DESIGN MARK

Serial Number

78980923

Status

REGISTERED

Word Mark

SYC

Standard Character Mark

Yes

Registration Number

3607796

Date Registered

2009/04/14

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

GENERAL MARKETING CAPITAL, INC. CORPORATION CALIFORNIA 14700 HOOVER
STREET WESTMINSTER CALIFORNIA 92683

Goods/Services

Class Status -- ACTIVE. IC 012. US 019 021 023 031 035 044. G & S:
Automotive parts and accessories, namely, seat upholstery. First Use:
2008/06/15. First Use In Commerce: 2008/06/15.

Filing Date

2005/02/16

Examining Attorney

ERVIN, INGA

Attorney of Record

Robert D. Buyan

SYC

TYPED DRAWING

Serial Number

71199223

Status

REGISTERED AND RENEWED

Word Mark

CADILLAC

Standard Character Mark

No

Registration Number

0201694

Date Registered

1925/08/04

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

GENERAL MOTORS LLC LIMITED LIABILITY COMPANY DELAWARE 300 RENAISSANCE
CENTER DETROIT MICHIGAN 482653000

Goods/Services

Class Status -- ACTIVE. IC 012. US 019. G & S: AUTOMOBILES. First
Use: 1903/00/00. First Use In Commerce: 1903/00/00.

Prior Registration(s)

0054931;0113351

Filing Date

1924/06/27

Examining Attorney

UNKNOWN

Attorney of Record

Timothy G. Gorbatoff

DESIGN MARK

Serial Number

71644297

Status

REGISTERED AND RENEWED

Word Mark

CORVETTE

Standard Character Mark

No

Registration Number

0579485

Date Registered

1953/09/01

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Owner

GENERAL MOTORS LLC LIMITED LIABILITY COMPANY DELAWARE 300 RENAISSANCE
CENTER DETROIT MICHIGAN 482653000

Goods/Services

Class Status -- ACTIVE. IC 012. US 019. G & S: AUTOMOBILES. First
Use: 1953/01/09. First Use In Commerce: 1953/01/09.

Filing Date

1953/03/27

Examining Attorney

UNKNOWN

Attorney of Record

TIMOTHY G. GORBATOFF

Carver

TYPED DRAWING

Serial Number

73533611

Status

REGISTERED AND RENEWED

Word Mark

MUSTANG

Standard Character Mark

No

Registration Number

1467208

Date Registered

1987/12/01

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

{1} TYPED DRAWING

Owner

FORD MOTOR COMPANY CORPORATION DELAWARE THE AMERICAN ROAD DEARBORN
MICHIGAN 48126

Goods/Services

Class Status -- ACTIVE. IC 012. US 019. G & S: AUTOMOBILES AND
THEIR STRUCTURAL PARTS. First Use: 1964/04/17. First Use In
Commerce: 1964/04/17.

Filing Date

1985/04/22

Examining Attorney

STINE, DAVID

Attorney of Record

Elizabeth F. Janda

Print: Mar 25, 2010

73696752

DESIGN MARK

Serial Number

73696752

Status

REGISTERED AND RENEWED

Word Mark

CORVETTE

Standard Character Mark

No

Registration Number

1495033

Date Registered

1988/07/05

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

GENERAL MOTORS LLC LIMITED LIABILITY COMPANY DELAWARE 300 RENAISSANCE
CENTER DETROIT MICHIGAN 482653000

Goods/Services

Class Status -- ACTIVE. IC 012. US 019 023. G & S: MOTOR VEHICLES;
NAMELY, AUTOMOBILES, ENGINES THEREFOR, AND STRUCTURAL PARTS THEREOF.
First Use: 1952/09/27. First Use In Commerce: 1952/09/27.

Prior Registration(s)

0579485;0648147;AND OTHERS

Filing Date

1987/11/23

Examining Attorney

STINE, DAVID

Attorney of Record

Timothy G. Gorbatoft

CORVETTE

Print: Mar 25, 2010

73791802

DESIGN MARK

Serial Number

73791802

Status

REGISTERED AND RENEWED

Word Mark

CADILLAC

Standard Character Mark

No

Registration Number

1570808

Date Registered

1989/12/12

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Owner

GENERAL MOTORS LLC LIMITED LIABILITY COMPANY DELAWARE 300 RENAISSANCE
CENTER DETROIT MICHIGAN 482653000

Goods/Services

Class Status -- ACTIVE. IC 012. US 019 023. G & S: MOTOR VEHICLES;
NAMELY, AUTOMOBILES, ENGINES THEREFOR, AND STRUCTURAL PARTS THEREOF.
First Use: 1964/12/31. First Use In Commerce: 1964/12/31.

Prior Registration(s)

0201694;0647241;1004929;1523821;AND OTHERS

Filing Date

1989/04/07

Examining Attorney

RUBEL, ELLEN A.

Attorney of Record

Timothy G. Gorbatoeff

Cadillac

TYPED DRAWING

Serial Number

74119391

Status

REGISTERED AND RENEWED

Word Mark

CADILLAC

Standard Character Mark

No

Registration Number

1663465

Date Registered

1991/11/05

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

GENERAL MOTORS LLC LIMITED LIABILITY COMPANY DELAWARE 300 RENAISSANCE
CENTER DETROIT MICHIGAN 482653000

Goods/Services

Class Status -- ACTIVE. IC 021. US 002 030. G & S: ceramic mugs.
First Use: 1989/09/30. First Use In Commerce: 1989/09/30.

Filing Date

1990/11/30

Examining Attorney

STRASER, RICHARD A

Attorney of Record

TIMOTHY G GORBATOFF

Print: Mar 25, 2010

74120302

TYPED DRAWING

Serial Number

74120302

Status

REGISTERED AND RENEWED

Word Mark

CADILLAC

Standard Character Mark

No

Registration Number

1782739

Date Registered

1993/07/20

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

GENERAL MOTORS LLC LIMITED LIABILITY COMPANY DELAWARE 300 RENAISSANCE
CENTER DETROIT MICHIGAN 482653000

Goods/Services

Class Status -- ACTIVE. IC 025. US 039. G & S: clothing; namely,
hats, shirts, T-shirts, sweatshirts, sweatpants, headbands, and
wristbands. First Use: 1979/09/30. First Use In Commerce:
1979/09/30.

Filing Date

1990/11/30

Examining Attorney

LAWRENCE, ANDREW

Attorney of Record

KENNETH D ENBORG

TYPED DRAWING

Serial Number

74128529

Status

REGISTERED AND RENEWED

Word Mark

CADILLAC

Standard Character Mark

No

Registration Number

1682999

Date Registered

1992/04/14

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

GENERAL MOTORS LLC LIMITED LIABILITY COMPANY DELAWARE 300 RENAISSANCE
CENTER DETROIT MICHIGAN 482653000

Goods/Services

Class Status -- ACTIVE. IC 024. US 042 050. G & S: flags and
towels. First Use: 1985/09/30. First Use In Commerce: 1985/09/30.

Filing Date

1991/01/07

Examining Attorney

PEDERSEN, CHRIS A. F.

Attorney of Record

TIMOTHY G GORBATOFF

TYPED DRAWING

Serial Number

74129781

Status

REGISTERED AND RENEWED

Word Mark

CADILLAC

Standard Character Mark

No

Registration Number

1660237

Date Registered

1991/10/08

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

GENERAL MOTORS LLC LIMITED LIABILITY COMPANY DELAWARE 300 RENAISSANCE
CENTER DETROIT MICHIGAN 482653000

Goods/Services

Class Status -- ACTIVE. IC 042. US 101. G & S: automobile and
truck dealership services. First Use: 1903/12/31. First Use In
Commerce: 1903/12/31.

Prior Registration(s)

0201694;0201708;0647241;0783126;1004929;1523821;1570808;1607667;AND
OTHERS

Filing Date

1991/01/11

Examining Attorney

PEDERSEN, CHRIS A. F.

Attorney of Record

TIMOTHY G. GORBATOFF

Print: Mar 25, 2010

74460170

TYPED DRAWING

Serial Number

74460170

Status

REGISTERED AND RENEWED

Word Mark

MUSTANG

Standard Character Mark

No

Registration Number

1858362

Date Registered

1994/10/18

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

FORD MOTOR COMPANY CORPORATION DELAWARE The American Road Dearborn
MICHIGAN 48121

Goods/Services

Class Status -- ACTIVE. IC 006. US 002 013 025 050. G & S: metal
goods; namely, decorative boxes, key tabs, key rings and non-luminous
non-mechanical signs. First Use: 1986/11/01. First Use In Commerce:
1986/11/01.

Prior Registration(s)

1467208;AND OTHERS

Filing Date

1993/11/18

Examining Attorney

STINE, DAVID

Attorney of Record

ROBYN LEDERMAN

TYPED DRAWING

Serial Number

74460172

Status

REGISTERED AND RENEWED

Word Mark

MUSTANG

Standard Character Mark

No

Registration Number

1917997

Date Registered

1995/09/12

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

FORD MOTOR COMPANY CORPORATION DELAWARE One American Road Dearborn
MICHIGAN 48126

Goods/Services

Class Status -- ACTIVE. IC 021. US 002 013 023 029 030 033 040 050.
G & S: [commemorative plates,] beer mugs, [plastic coasters,]
drinking glasses, [serving trays] and mugs. First Use: 1968/11/22.
First Use In Commerce: 1968/11/22.

Prior Registration(s)

1467208;AND OTHERS

Filing Date

1993/11/18

Examining Attorney

STINE, DAVID

Attorney of Record

ELIZABETH JANDA

Print: Mar 25, 2010

74467634

TYPED DRAWING

Serial Number

74467634

Status

REGISTERED AND RENEWED

Word Mark

MUSTANG

Standard Character Mark

No

Registration Number

1975210

Date Registered

1996/05/21

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

FORD MOTOR COMPANY CORPORATION DELAWARE ONE AMERICAN ROAD Dearborn
MICHIGAN 48126

Goods/Services

Class Status -- ACTIVE. IC 014. US 002 027 028 050. G & S:
watches, [jewelry rings,] clocks, [lapel pins,] non-monetary
collector coins, [tie clips and tie tacks, cuff-links, jewelry].
First Use: 1975/01/01. First Use In Commerce: 1975/01/01.

Prior Registration(s)

1467208

Filing Date

1993/12/09

Examining Attorney

STINE, DAVID

Attorney of Record

ELIZABETH F. JANDA

DESIGN MARK

Serial Number

74602716

Status

REGISTERED AND RENEWED

Word Mark

MUSTANG

Standard Character Mark

No

Registration Number

2175903

Date Registered

1998/07/28

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

Owner

FORD MOTOR COMPANY CORPORATION DELAWARE One American Road Dearborn
MICHIGAN 48126

Goods/Services

Class Status -- ACTIVE. IC 025. US 022 039. G & S: clothing, namely shirts, [sweatshirts,] T-shirts, polo shirts, golf shirts, [dress shirts, sweaters, vests,] jackets, [rainwear, work coats, scarves, sleep wear, neckties;] headwear, namely caps, hats [, sunvisors, headbands, babushkas; footwear, namely athletic shoes, slippers, and moccasins] ; all for promotional use relating to automotive vehicles. First Use: 1978/11/01. First Use In Commerce: 1978/11/01.

Prior Registration(s)

1416549;1467208;1686288;AND OTHERS

Lining/Stippling Statement

The drawing is lined for the colors red and blue.

Filing Date

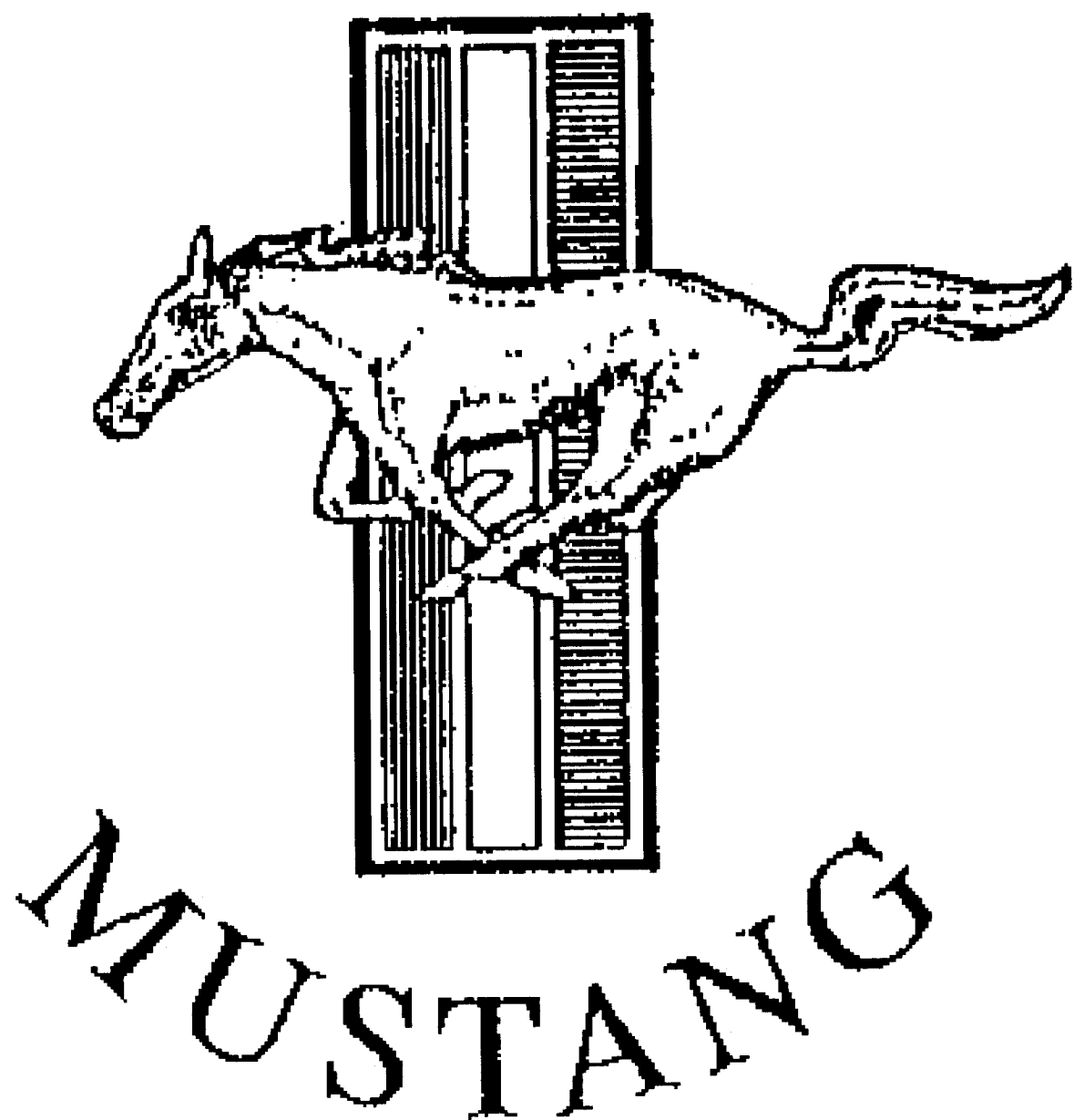
1994/11/23

Print: Mar 25, 2010

74602716

Examining Attorney
STINE, DAVID

Attorney of Record
Elizabeth F. Janda



TYPED DRAWING

Serial Number

75020566

Status

REGISTERED AND RENEWED

Word Mark

MUSTANG

Standard Character Mark

No

Registration Number

1995783

Date Registered

1996/08/20

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

FORD MOTOR COMPANY CORPORATION DELAWARE ONE AMERICAN ROAD DEARBORN
MICHIGAN 48126

Goods/Services

Class Status -- ACTIVE. IC 012. US 019 021 023 031 035 044. G & S:
auto parts and accessories, namely license plate frames, sunshades,
sun screens, exterior insignia badges, fitted and semi-fitted covers
for vehicles, vehicle seat covers, fender covers. First Use:
1985/11/01. First Use In Commerce: 1985/11/01.

Prior Registration(s)

1467208;1858610;AND OTHERS

Filing Date

1995/11/15

Examining Attorney

STINE, DAVID

Attorney of Record

ELIZABETH F. JANDA

Print: Mar 25, 2010

75572655

DESIGN MARK

Serial Number

75572655

Status

REGISTERED AND RENEWED

Word Mark

CORVETTE

Standard Character Mark

No

Registration Number

2311215

Date Registered

2000/01/25

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

GENERAL MOTORS LLC LIMITED LIABILITY COMPANY DELAWARE 300 RENAISSANCE
CENTER DETROIT MICHIGAN 482653000

Goods/Services

Class Status -- ACTIVE. IC 006. US 002 012 013 014 023 025 050. G
& S: METAL LICENSE PLATES. First Use: 1981/01/00. First Use In
Commerce: 1981/01/00.

Prior Registration(s)

1494171;1495033;1529633;1546066;1792602;AND OTHERS

Filing Date

1998/10/15

Examining Attorney

CASTRO, GIANCARLO

Attorney of Record

TIMOTHY G. GORBATOFF

CORVETTE

DESIGN MARK

Serial Number

75629734

Status

REGISTERED AND RENEWED

Word Mark

CORVETTE

Standard Character Mark

No

Registration Number

2314485

Date Registered

2000/02/01

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

GENERAL MOTORS LLC LIMITED LIABILITY COMPANY DELAWARE 300 RENAISSANCE
CENTER DETROIT MICHIGAN 482653000

Goods/Services

Class Status -- ACTIVE. IC 025. US 022 039. G & S: SHIRTS,
SWEATERS, JACKETS, BLAZERS, HATS, CLOTHING TIES, SWEAT SUITS, [PANTS]
AND SHORTS. First Use: 1996/04/00. First Use In Commerce:
1996/04/00.

Prior Registration(s)

1494171;1495033;1529633;1546066;1792602

Filing Date

1999/01/29

Examining Attorney

CASTRO, GIANCARLO

Attorney of Record

TIMOTHY G GORBATOFF

CORVETTE

DESIGN MARK

Serial Number

75765789

Status

SECTION 8 & 15-ACCEPTED AND ACKNOWLEDGED

Word Mark

CORVETTE RACING

Standard Character Mark

No

Registration Number

2545728

Date Registered

2002/03/12

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

GENERAL MOTORS LLC LIMITED LIABILITY COMPANY DELAWARE 300 RENAISSANCE
CENTER DETROIT MICHIGAN 482653000

Goods/Services

Class Status -- ACTIVE. IC 025. US 022 039. G & S: CLOTHING,
NAMELY, SHIRTS, T-SHIRTS, PARKAS, JOGGING SUITS, SWEAT SHIRTS, SWEAT
PANTS, BASEBALL SHIRTS, SHOES, BANDANAS, GLOVES, SWEATERS, SOCKS,
APRONS, HATS, LEATHER JACKETS, COATS, TIES, JACKETS. First Use:
1998/11/00. First Use In Commerce: 1998/11/00.

Prior Registration(s)

0579485;0648147;1495033;1792602;2242877;AND OTHERS

Filing Date

1999/08/02

Examining Attorney

RILEY, CAITLIN

Attorney of Record

Timothy G. Gorbatooff



DESIGN MARK

Serial Number

76063278

Status

SECTION 8 & 15-ACCEPTED AND ACKNOWLEDGED

Word Mark

CORVETTE

Standard Character Mark

No

Registration Number

2463898

Date Registered

2001/06/26

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

GENERAL MOTORS LLC LIMITED LIABILITY COMPANY DELAWARE 300 RENAISSANCE
CENTER DETROIT MICHIGAN 482653000

Goods/Services

Class Status -- ACTIVE. IC 006. US 002 012 013 014 023 025 050. G
& S: metal money clips, metal gear shift knobs, non-mechanical metal
street signs, non-mechanical metal parking signs, non-mechanical tin
signs, metal key rings, metal license plates. First Use: 1995/09/00.
First Use In Commerce: 1995/09/00.

Prior Registration(s)

2311215;2314485;AND OTHERS

Filing Date

2000/06/05

Examining Attorney

SLOAN, CYNTHIA

Attorney of Record

Timothy G. Gorbato

CORVETTE

TYPED DRAWING

Serial Number

78087695

Status

SECTION 8 & 15-ACCEPTED AND ACKNOWLEDGED

Word Mark

CADILLAC

Standard Character Mark

No

Registration Number

2654530

Date Registered

2002/11/26

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

GENERAL MOTORS LLC LIMITED LIABILITY COMPANY DELAWARE 300 RENAISSANCE
CENTER DETROIT MICHIGAN 482653000

Goods/Services

Class Status -- ACTIVE. IC 020. US 002 013 022 025 032 050. G & S:
CLEAR PLASTIC BADGE HOLDERS, BEDS, CHAIRS, NON-METAL CLAMPS, DESK
ORNAMENTS MADE OF BONE, IVORY, PLASTER, PLASTIC, WAX, WOOD, CHINA,
CRYSTAL, GLASS AND PORCELAIN, JEWELRY BOXES, NON-METAL KEY CHAINS,
NON-METAL KEY FOBS, NON-METAL KEY HOLDERS, NON-METAL KEY RINGS,
NON-METAL KEY TAGS, NON-METAL LICENSE PLATES, FURNITURE MIRRORS,
HAND-HELD MIRRORS, NON-METAL MONEY CLIPS, PLASTIC NAME BADGES,
NON-METAL NAMEPLATES, PICTURE FRAMES, PILLOWS, PLAQUES, PLASTIC FLAGS,
PLASTIC STORAGE BINS, SEAT CUSHIONS AND STOOLS. First Use:
1960/01/01. First Use In Commerce: 1960/01/01.

Prior Registration(s)

1660237;1663465;1665834

Filing Date

2001/10/10

Print: Mar 25, 2010

78087695

Examining Attorney
HAYES, GINA

Attorney of Record
Timothy G. Gorbatoff

To: Yenko Sportscar Club (geb@bullwinkel.com)
Subject: U.S. TRADEMARK APPLICATION NO. 77899255 - SYNC YENKO SPORTSCAR CLUB - N/A
Sent: 3/25/2010 1:09:18 PM
Sent As: ECOM102@USPTO.GOV
Attachments:

IMPORTANT NOTICE REGARDING YOUR TRADEMARK APPLICATION

Your trademark application (Serial No. 77899255) has been reviewed. The examining attorney assigned by the United States Patent and Trademark Office ("USPTO") has written a letter (an "Office action") on 3/25/2010 to which you must respond (*unless the Office letter specifically states that no response is required*). Please follow these steps:

1. Read the Office letter by clicking on this [link](http://tmportal.uspto.gov/external/portal/tow?DDA=Y&serial_number=77899255&doc_type=OOA&) http://tmportal.uspto.gov/external/portal/tow?DDA=Y&serial_number=77899255&doc_type=OOA& OR go to <http://tmportal.uspto.gov/external/portal/tow> and enter your serial number to access the Office letter. If you have difficulty accessing the Office letter, contact TDR@uspto.gov.

PLEASE NOTE: The Office letter may not be immediately available but will be viewable within 24 hours of this e-mail notification.

2. Contact the examining attorney who reviewed your application if you have any questions about the content of the Office letter (contact information appears at the end thereof).

3. Respond within 6 months, calculated from 3/25/2010 (*or sooner if specified in the Office letter*), using the Trademark Electronic Application System (TEAS) **Response to Office Action form**. If you have difficulty using TEAS, contact TEAS@uspto.gov.

ALERT:

Failure to file any required response by the applicable deadline will result in the **ABANDONMENT** (loss) of your application.

Do NOT hit "Reply" to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses.

*** User:abutler ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	2553	N/A	0	0	0:02	*syc*[bi,ti]
02	11	N/A	0	0	0:04	("SYC" or "S Y C" or "SY C" or "S YC")[bi,ti]
03	44	N/A	0	0	0:02	*y{v}n{"ck"}o*[bi,ti]
04	909	N/A	0	0	0:02	*y{v}n{"ckqx"}*[bi,ti]
05	28439	N/A	0	0	0:02	*sp{V}rt*[bi,ti]
06	96897	N/A	0	0	0:02	*{"ck"}ar*[bi,ti]
07	19307	N/A	0	0	0:03	*{"ck"}l{v}b*[bi,ti]
08	95	N/A	0	0	0:01	(1 or 2) and (3 or 4 or 5 or 6 or 7)
09	32	0	32	21	0:02	(1 or 2) and (3 or 4 or 5 or 6 or 7) not dead[lid]
10	16	0	16	12	0:01	3 and (4 or 5 or 6 or 7) not dead[lid]
11	16	N/A	0	0	0:01	4 and (5 or 6 or 7)
12	1	0	1	1	0:01	4 and (5 or 6 or 7) not dead[lid]
13	864	N/A	0	0	0:01	5 and (6 or 7)
14	247	N/A	0	0	0:02	5 and (6 or 7) not dead[lid]
15	98	0	98	79	0:02	14 and "025"[cc]
16	164	N/A	0	0	0:03	14 and "035"[cc]
17	99	0	99	85	0:01	16 not 15
18	5	0	5	5	0:03	2 not dead[lid]
19	16	0	16	12	0:03	3 not dead[lid]
20	16	N/A	0	0	0:03	3 not dead[lid]
21	309	N/A	0	0	0:03	4 not dead[lid]
22	109	0	109	77	0:02	21 and "025"[cc]
23	124	N/A	0	0	0:03	21 and "035"[cc]
24	59	0	59	46	0:01	23 not 22

Session started 3/24/2010 10:08:48 AM

Session finished 3/24/2010 10:47:41 AM

Total search duration 0 minutes 50 seconds

Session duration 38 minutes 53 seconds

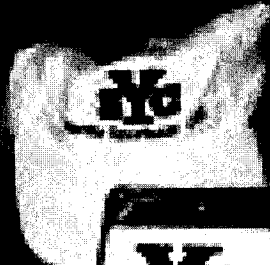
Default NEAR limit=1ADJ limit=1

Sent to TIGRS as Serial Number: 77899255

SYC

Yenko Sportscar Club

SYC
Société YC



SYC







"The official club/registry authorized by the Yenka estate/family"

Membership Application

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone (H): _____ (W): _____

E-mail: _____ sYc Forum Username: _____

Enclosed, please find my check/money order for \$25.00 to become a member of the Yenka Sportscar Club. As a member, I understand that I will receive all benefits due such members. These will include, but are not limited to, the ^{☆☆☆☆☆}sYc member icon underneath your username indicating your donation to the sYc & Supercar Reunion, discounts at club events, first chance to purchase items of interest from the club, and free advice/tech information from the club. Club membership will be renewable yearly.

Signature

Date

Charter membership in Yenka Sportscar Club\$25.00

Total amount enclosed.....\$ _____

Send to Yenka Sportscar Club, c/o Tom Clary, PO Box 375, Alton, MO 65606

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CARE OF JAMES H. BARRETT, JR. 1911

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MEMBER OF THE NATIONAL ASSOCIATION OF
BUSINESS REUNIONERS AND ANNIVERSARIES
INCORPORATED IN 1964
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Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 77899255

Filing Date: 12/22/2009

NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	YES
MARK INFORMATION	
*MARK	<u>\\TICRS\EXPORT9\IMAGEOUT9\778\992\77899255\xml1\FTK0002.JPG</u>
*SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	SYC Yenko Sportscar Club
*COLOR MARK	NO
*COLOR(S) CLAIMED (If applicable)	
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of the letters SYC and words Yenko Sportscar Club.
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	600 x 307
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Yenko Sportscar Club
*STREET	P.O. Box 375

*CITY	Alton
*STATE (Required for U.S. applicants)	Missouri
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	65606
LEGAL ENTITY INFORMATION	
*TYPE	CORPORATION
* STATE/COUNTRY OF INCORPORATION	Missouri
GOODS AND/OR SERVICES AND BASIS INFORMATION	
*INTERNATIONAL CLASS	025
IDENTIFICATION	Headgear, namely, caps; T-shirts
*FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 09/05/1998
FIRST USE IN COMMERCE DATE	At least as early as 09/05/1998
SPECIMEN FILE NAME(S)	<u>\\TICRS\EXPORT9\IMAGEOUT9\778\992\77899255\xml1\FT K0003.JPG</u>
	<u>\\TICRS\EXPORT9\IMAGEOUT9\778\992\77899255\xml1\FT K0004.JPG</u>
SPECIMEN DESCRIPTION	Photos of t-shirts and caps bearing the mark
*INTERNATIONAL CLASS	035
IDENTIFICATION	Club services, namely, promoting the interests of Yenko car enthusiasts
*FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 01/01/1998
FIRST USE IN COMMERCE DATE	At least as early as 01/01/1998
SPECIMEN FILE NAME(S)	
JPG FILE(S)	<u>\\TICRS\EXPORT9\IMAGEOUT9\778\992\77899255\xml1\FT K0006.JPG</u>

ORIGINAL PDF FILE	<u>spec-75414387-145202175 . Membership application.pdf</u>
CONVERTED PDF FILE(S) (1 page)	<u>\\TICRS\EXPORT9\IMAGEOUT9\778\992\77899255\xml\FTK0005.JPG</u>
SPECIMEN DESCRIPTION	application for membership; poster advertising applicant's first national meeting in September 1998
ADDITIONAL STATEMENTS SECTION	
*TRANSLATION (if applicable)	
*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
*CONSENT (NAME/LIKENESS) (if applicable)	
*CONCURRENT USE CLAIM (if applicable)	
ATTORNEY INFORMATION	
NAME	George E. Bullwinkel
STREET	425 Woodside Avenue
CITY	Hinsdale
STATE	Illinois
COUNTRY	United States
ZIP/POSTAL CODE	60521
PHONE	630 418 2273
FAX	6430 214 3210
EMAIL ADDRESS	geb@bullwinkel.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
CORRESPONDENCE INFORMATION	
*NAME	George E. Bullwinkel
*STREET	425 Woodside Avenue
*CITY	Hinsdale

*STATE (Required for U.S. applicants)	Illinois
*COUNTRY	United States
*ZIP/POSTAL CODE	60521
PHONE	630 418 2273
FAX	643 214 3210
*EMAIL ADDRESS	geb@bullwinkel.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
NUMBER OF CLASSES	2
FEE PER CLASS	275
*TOTAL FEE PAID	550
SIGNATURE INFORMATION	
* SIGNATURE	/George E. Bullwinkel/
* SIGNATORY'S NAME	George E. Bullwinkel
* SIGNATORY'S POSITION	Attorney of record, Illinois bar member
* DATE SIGNED	12/22/2009

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 77899255

Filing Date: 12/22/2009

To the Commissioner for Trademarks:

MARK: SYC Yenko Sportscar Club (stylized and/or with design, see mark)

The literal element of the mark consists of SYC Yenko Sportscar Club.

The applicant is not claiming color as a feature of the mark. The mark consists of the letters SYC and words Yenko Sportscar Club.

The applicant, Yenko Sportscar Club, a corporation of Missouri, having an address of

P.O. Box 375

Alton, Missouri 65606

United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 025: Headgear, namely, caps; T-shirts

In International Class 025, the mark was first used at least as early as 09/05/1998, and first used in commerce at least as early as 09/05/1998, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Photos of t-shirts and caps bearing the mark.

[Specimen File1](#)

[Specimen File2](#)

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 035: Club services, namely, promoting the interests of Yenko car enthusiasts

In International Class 035, the mark was first used at least as early as 01/01/1998, and first used in commerce at least as early as 01/01/1998, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) application for membership; poster advertising applicant's first national meeting in September 1998.

JPG file(s):

Specimen File 1

Original PDF file:

spec-75414387-145202175 . Membership application.pdf

Converted PDF file(s) (1 page)

Specimen File 1

The applicant's current Attorney Information:

George E. Bullwinkel
425 Woodside Avenue
Hinsdale, Illinois 60521
United States

The applicant's current Correspondence Information:

George E. Bullwinkel
425 Woodside Avenue
Hinsdale, Illinois 60521
630 418 2273(phone)
643 214 3210(fax)
geb@bullwinkel.com (authorized)

A fee payment in the amount of \$550 has been submitted with the application, representing payment for 2 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /George E. Bullwinkel/ Date Signed: 12/22/2009

Signatory's Name: George E. Bullwinkel

Signatory's Position: Attorney of record, Illinois bar member

RAM Sale Number: 2277

RAM Accounting Date: 12/23/2009

Serial Number: 77899255

Internet Transmission Date: Tue Dec 22 15:26:02 EST 2009

TEAS Stamp: USPTO/FTK-75.4.143.87-200912221526022111

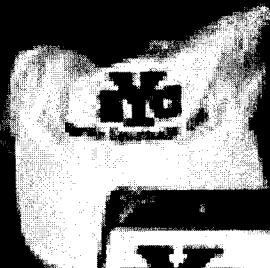
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5ea0-CC-2277-20091222145202175958

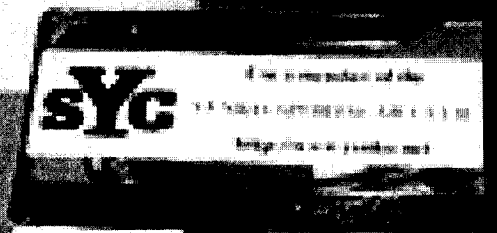
SYC

Yenko Sportscar Club

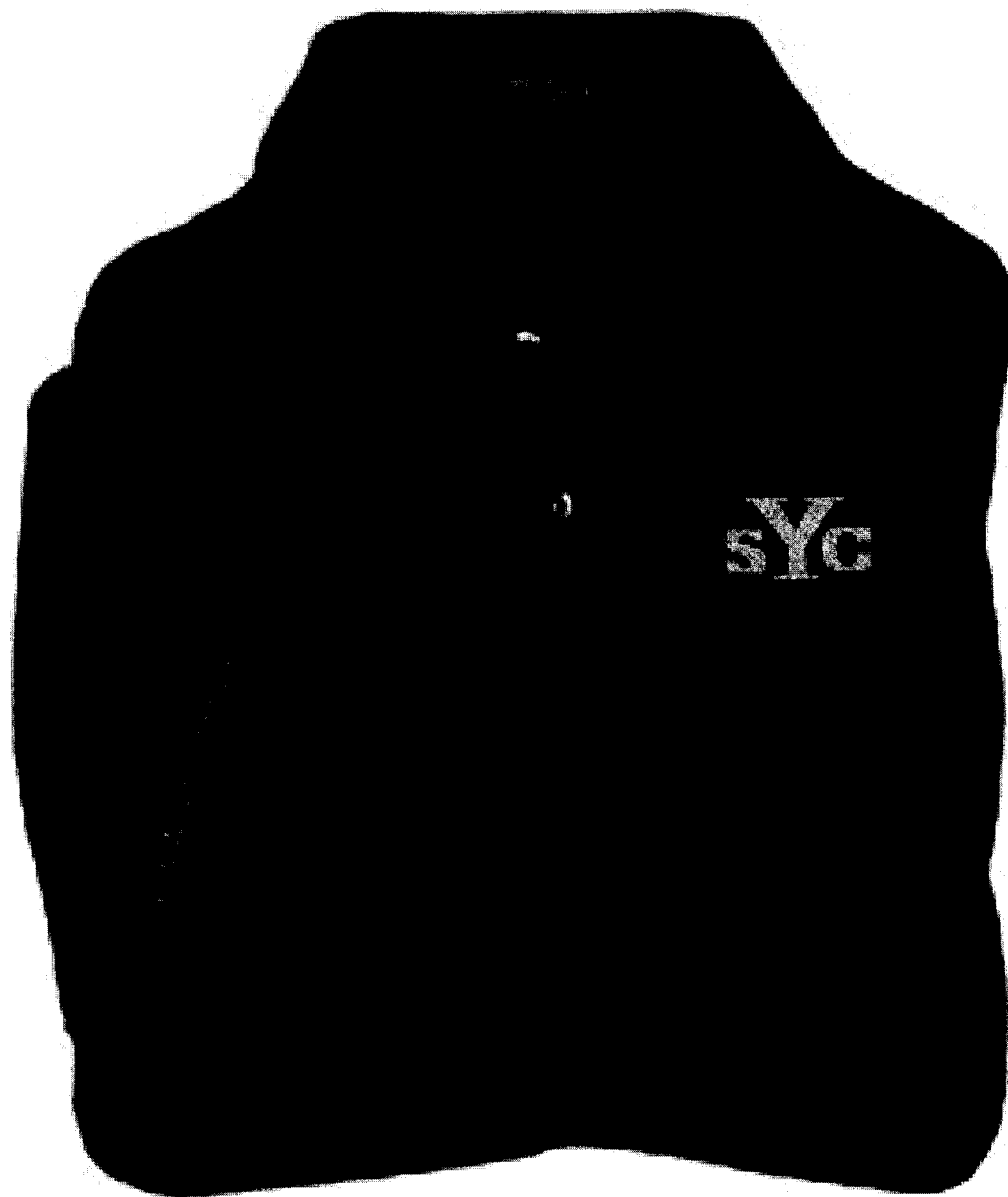
SYC
Société Yveloise de Cyclisme



SYC



SYC
MEMBER





"The official club/registry authorized by the Yenko estate/family"

Membership Application

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone (H): _____ (W): _____

E-mail: _____ sYc Forum Username: _____

Enclosed, please find my check/money order for \$25.00 to become a member of the Yenko Sportscar Club. As a member, I understand that I will receive all benefits due such members. These will include, but are not limited to, the ^{☆☆☆☆}sYc member icon underneath your username indicating your donation to the sYc & Supercar Reunion, discounts at club events, first chance to purchase items of interest from the club, and free advice/tech information from the club. Club membership will be renewable yearly.

Signature

Date

Charter membership in Yenko Sportscar Club\$25.00

Total amount enclosed.....\$_____

Send to Yenko Sportscar Club, c/o Tom Clary, PO Box 375, Alton, MO 65606

THE DYNAMIC MOTION PICTURE FILM

CORP.  CORP.

1954 ANNUAL REUNION ALBUM

THE CHEVROLET CORPORATION

FOR ALL THE NEW CHEVROLET CARS AND TRUCKS
2400 KENT AVENUE, DETROIT, MICHIGAN

SATURDAY, SEPTEMBER 12, 1954

THE CHEVROLET CORPORATION
2400 KENT AVENUE, DETROIT, MICHIGIN
FOR ALL THE NEW CHEVROLET CARS AND TRUCKS
2400 KENT AVENUE, DETROIT, MICHIGIN



United States Patent and Trademark Office

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Terri Yenko Gould, Executor v. Supercar
Collectables Ltd., et al.
Cancellation Proceeding No. 92052197
Respondent's Exhibit No. 102

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Mon Oct 31 04:35:46 EDT 2011

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Browser to return to TESS)

SYC

Word Mark
Goods and
Services

SYC

(ABANDONED) IC 006. US 002 012 013 014 023 025 050. G & S: Namely commemorative emblems, commemorative license plates, commemorative license plate frames, and key chains. FIRST USE: 19980900. FIRST USE IN COMMERCE: 19980900

(ABANDONED) IC 041. US 100 101 107. G & S: Namely performing, promoting and competing in motor sports events, in the nature of automobile races and automobile shows, as well as internet web sites and web pages. FIRST USE: 19980900. FIRST USE IN COMMERCE: 19980900

Standard
Characters
Claimed

Mark Drawing
Code

(4) STANDARD CHARACTER MARK

Serial Number

78734240

Filing Date

October 17, 2005

Current Filing
Basis

1A

Original Filing
Basis

1A

Owner

(APPLICANT) Yenko Sportscar Club CORPORATION MISSOURI PO Box 375 Alton MISSOURI 65606

Type of Mark

TRADEMARK. SERVICE MARK

Register

PRINCIPAL

Live/Dead
Indicator

DEAD

**Abandonment
Date**

October 23, 2006

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This page was generated by the TARR system on 2011-10-31 16:37:06 ET

Serial Number: 78734240 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark

SYC

(words only): SYC

Standard Character claim: Yes

Current Status: Abandoned because the applicant failed to respond or filed a late response to an Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Date of Status: 2006-11-17

Filing Date: 2005-10-17

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 108

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: L8X -TMEG Law Office 108 - Examining Attorney Assigned

Date In Location: 2006-11-17

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Yenko Sportscar Club

Address:

Yenko Sportscar Club

PO Box 375

Alton, MO 65606

United States

Legal Entity Type: Corporation**State or Country of Incorporation:** Missouri**Phone Number:** 417-778-6639**Fax Number:** 417-778-7221

GOODS AND/OR SERVICES

International Class: 006**Class Status:** Active

Namely commemorative emblems, commemorative license plates, commemorative license plate frames, and key chains

Basis: 1(a)**First Use Date:** 1998-09-00**First Use in Commerce Date:** 1998-09-00**International Class:** 041**Class Status:** Active

Namely performing, promoting and competing in motor sports events, in the nature of automobile races and automobile shows, as well as internet web sites and web pages

Basis: 1(a)**First Use Date:** 1998-09-00**First Use in Commerce Date:** 1998-09-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2006-11-17 - Abandonment Notice Mailed - Failure To Respond

2006-11-17 - Abandonment - Failure To Respond Or Late Response

2006-04-21 - Non-final action e-mailed

2006-04-21 - Non-Final Action Written

2006-04-20 - Assigned To Examiner

2005-10-21 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

YENKO SPORTSCAR CLUB

PO BOX 375

ALTON, MO 65606-0375

Phone Number: 417-778-6639

Fax Number: 417-778-7221

Side - 1



NOTICE OF ABANDONMENT
MAILING DATE: Nov 17, 2006

The trademark application identified below was abandoned because a response to the Office Action mailed on Apr 21, 2006 was not received within the 6-month response period.

If the delay in filing a response was unintentional, you may file a petition to revive the application with a fee. If the abandonment of this application was due to USPTO error, you may file a request for reinstatement. Please note that a petition to revive or request for reinstatement **must be received within two months from the mailing date of this notice.**

For additional information, go to <http://www.uspto.gov/teas/petinfo.htm>. If you are unable to get the information you need from the website, call the Trademark Assistance Center at 1-800-786-9199.

SERIAL NUMBER: 78734240
MARK: SYC
OWNER: Yenko Sportscar Club

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR TRADEMARKS
P.O. BOX 1451
ALEXANDRIA, VA 22313-1451

FIRST-CLASS
MAIL
U.S POSTAGE
PAID

YENKO SPORTSCAR CLUB
PO BOX 375
ALTON , MO 65606-0375

To: Yenko Sportscar Club (yenko@yenko.net)
Subject: TRADEMARK APPLICATION NO. 78734240 - SYC - N/A
Sent: 4/21/06 11:33:15 AM
Sent As: ECOM108@USPTO.GOV
Attachments: [Attachment - 1](#)
[Attachment - 2](#)
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[Attachment - 27](#)

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 78/734240

APPLICANT: Yenko Sportscar Club

CORRESPONDENT ADDRESS:

78734240

RETURN ADDRESS:

YENKO SPORTSCAR CLUB
PO BOX 375
ALTON, MO 65606-0375

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

MARK: SYC

CORRESPONDENT'S REFERENCE/DOCKET NO : N/A

CORRESPONDENT EMAIL ADDRESS:
yenko@yenko.net

Please provide in all correspondence:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

OFFICE ACTION

RESPONSE TIME LIMIT: TO AVOID ABANDONMENT, THE OFFICE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF THE MAILING OR E-MAILING DATE.

MAILING/E-MAILING DATE INFORMATION: If the mailing or e-mailing date of this Office action does not appear above, this information can be obtained by visiting the USPTO website at <http://tarr.uspto.gov/>, inserting the application serial number, and viewing the prosecution history for the mailing date of the most recently issued Office communication.

Serial Number 78/734240

The assigned trademark examining attorney has reviewed the referenced application and has determined the following:

Search Results & Substantive Refusals

A. Section 2(d) - Likelihood of Confusion Refusal for Goods in International Classes 006, 012, 014, 018, 020, and 026

Registration of the proposed mark is refused because of a likelihood of confusion with the mark in U.S. Registration No. 3083835. Trademark Act Section 2(d), 15 U.S.C. §1052(d); TMEP §§1207.01 *et seq.* See the enclosed registration.

Trademark Act Section 2(d) bars registration where an applied-for mark so resembles a registered mark that it is likely, when applied to the goods and/or services, to cause confusion, mistake or to deceive the potential consumer as to the source of the goods and/or services. TMEP §1207.01. The Court in *In re E. I. DuPont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563 (C.C.P.A. 1973), listed the principal factors to consider in determining whether there is a likelihood of confusion. Among these factors are the similarity of the marks as to appearance, sound, meaning and commercial impression, and the relatedness of the goods and/or services. The overriding concern is to prevent buyer confusion as to the source of the goods and/or services. *In re Shell Oil Co.*, 992 F.2d 1204, 1208, 26 USPQ2d 1687, 1690 (Fed. Cir. 1993).

Therefore, any doubt as to the existence of a likelihood of confusion must be resolved in favor of the registrant. *In re Hyper Shoppes (Ohio), Inc.*, 837 F.2d 463, 6 USPQ2d 1025 (Fed. Cir. 1988); *Lone Star Mfg. Co. v. Bill Beasley, Inc.*, 498 F.2d 906, 182 USPQ 368 (C.C.P.A. 1974).

Similarity of Marks

Marks may be confusingly similar in appearance where there are similar terms or phrases or similar parts of terms or phrases appearing in both applicant's and registrant's mark. See e.g., *Crocker Nat'l Bank v. Canadian Imperial Bank of Commerce*, 228 USPQ 689 (TTAB 1986), *aff'd* 1 USPQ2d 1813 (Fed. Cir. 1987) (COMMCASH and COMMUNICASH); *In re Phillips-Van Heusen Corp.*, 228 USPQ 949 (TTAB 1986) (21 CLUB and "21" CLUB (stylized)); *In re Corning Glass Works*, 229 USPQ 65 (TTAB 1985) (CONFIRM and CONFIRMCELLS); *In re Collegian Sportswear Inc.*, 224 USPQ 174 (TTAB 1984) (COLLEGIAN OF CALIFORNIA and COLLEGIENNE); *In re Pellerin Milnor Corp.*, 221 USPQ 558 (TTAB 1983) (MILTRON and MILLTRONICS); *In re BASF A.G.*, 189 USPQ 424 (TTAB 1975) (LUTEXAL and LUTEX); TMEP §§1207.01(b)(ii) and (b)(iii).

Registration of a mark in typed or standard character form means that the mark may be displayed in any lettering style. 37 C.F.R. §2.52(a). The rights associated with a mark in typed or standard character form reside in the wording itself, and applicant is free to adopt any style of lettering, including lettering identical to that used by registrant. Therefore, applicant's presentation of its mark in standard characters will not avoid likelihood of confusion with a mark that is registered in special form because the marks could be used in the same manner of display. See *In re Melville Corp.*, 18 USPQ2d 1386, 1387-88 (TTAB 1991); *In re Pollio Dairy Prods. Corp.*, 8 USPQ2d 2012, 2015 (TTAB 1988); *Sunnen Prods. Co. v. Sunex Int'l Inc.*, 1 USPQ2d 1744, 1747 (TTAB 1987); *In re Hester Indus., Inc.*, 231 USPQ 881, 882, n.6 (TTAB 1986); *United Rum Merchants, Ltd. v. Fregal, Inc.*, 216 USPQ 217, 220 (TTAB 1982); *Frances Denney, Inc. v. Vive Parfums, Ltd.*, 190 USPQ 302, 303-04 (TTAB 1976); TMEP §1207.01(c)(iii).

Moreover, the literal portions are generally the dominant and most significant features of marks because consumers will call for the goods or services in the marketplace by that portion. *In re Appetito Provisions Co.*, 3 USPQ2d 1553 (TTAB 1987); *In re Drug Research Reports, Inc.*, 200 USPQ 554 (TTAB 1978). For this reason, greater weight is often given to the literal portions of marks in determining whether there is a likelihood of confusion. TMEP §1207.01(c)(ii).

The literal portions of applicant's mark, SYC, and U.S. Registration No. 3083835, SYC, are identical in sound, appearance and meaning. Thus, there is no difference in the commercial impressions of the marks.

Similarity of Goods

The goods and/or services of the parties need not be identical or directly competitive to find a likelihood of confusion. Instead, they need only be related in some manner, or the conditions surrounding their marketing be such that they could be encountered by the same purchasers under circumstances that could give rise to the mistaken belief that the goods and/or services come from a common source. *On-line Careline Inc. v. America Online Inc.*, 229 F.3d 1080, 56 USPQ2d 1471 (Fed. Cir. 2000); *In re Martin's Famous Pastry Shoppe, Inc.*, 748 F.2d 1565, 223 USPQ 1289 (Fed. Cir. 1984); *In re Melville Corp.*, 18 USPQ2d 1386, 1388 (TTAB 1991); *In re Corning Glass Works*, 229 USPQ 65 (TTAB 1985); *In re Rexel Inc.*, 223 USPQ 830 (TTAB 1984); *Guardian Prods. Co., Inc. v. Scott Paper Co.*, 200 USPQ 738 (TTAB 1978); *In re Int'l Tel. & Tel. Corp.*, 197 USPQ 910 (TTAB 1978); TMEP §1207.01(a)(i).

Likelihood of confusion is determined on the basis of the goods or services as they are identified in the

application and the registration. *Hewlett-Packard Co. v. Packard Press Inc.*, 281 F.3d 1261, 62 USPQ2d 1001 (Fed. Cir. 2002); *In re Shell Oil Co.*, 992 F.2d 1204, 26 USPQ2d 1687, 1690 n.4 (Fed. Cir. 1993); *J & J Snack Foods Corp. v. McDonald's Corp.*, 932 F.2d 1460, 18 USPQ2d 1889 (Fed. Cir. 1991); *Octocom Systems Inc. v. Houston Computer Services Inc.*, 918 F.2d 937, 16 USPQ2d 1783 (Fed. Cir. 1990).

If the marks of the respective parties are identical, the relationship between the goods or services of the respective parties need not be as close to support a finding of likelihood of confusion as might apply where differences exist between the marks. *Century 21 Real Estate Corp. v. Century Life of America*, 970 F.2d 874, 877, 23 USPQ2d 1698, 1701 (Fed. Cir. 1992), *cert. denied* 506 U.S. 1034 (1992); *In re Opus One Inc.*, 60 USPQ2d 1812, 1815 (TTAB 2001); *Amcor, Inc. v. Amcor Industries, Inc.*, 210 USPQ 70 (TTAB 1981); TMEP §1207.01(a).

The registered mark, SYC, U.S. Registration No. 3083835, covers “vinyl decals” while applicant identified “emblems, commemorative license plates, commemorative license plate frames, and key chains.” Applicant’s goods and registrant’s goods are related because “decals” and “emblems” are embodiments of a design, while license plates, license plate frames, and key chains commonly display designs that can be in the form of emblems or decals. See attached evidence. Decals and key chains, license plates, and license plate frames are also sold in the same channels of trade. See attached evidence.

Attached are copies of printouts from the USPTO X-Search database, which show third-party registrations of marks used in connection with the same or similar goods and/or services as those of applicant and registrant in this case. These printouts have probative value to the extent that they serve to suggest that the goods and/or services listed therein, namely decals, emblems, license plates, license plate frames, and key chains, are of a kind that may emanate from a single source. See *In re Infinity Broad. Corp.*, 60 USPQ2d 1214, 1217-1218 (TTAB 2001); *In re Albert Trostel & Sons Co.*, 29 USPQ2d 1783, 1785-86 (TTAB 1993); *In re Mucky Duck Mustard Co., Inc.*, 6 USPQ2d 1467, 1470 at n.6 (TTAB 1988).

Thus, applicant’s mark is likely to cause confusion as to the source of the goods and/or services.

The stated refusal refers to Classes 006, 012, 014, 018, 020, and 026 only and does not bar registration in the other classes.

Applicant may respond to the stated refusal by doing one of the following:

- (1) deleting the classes to which the refusal pertains;
- (2) arguing against the refusal of the combined application as a whole;
- (3) filing a request to divide out the goods and/or services that have not been refused registration, in the classes to which the refusal does not pertain (See 37 C.F.R. §2.87 and TMEP §§1110.05 and 1403.03 regarding the requirements for filing a request to divide); or
- (4) changing the basis, if appropriate (the basis may not be changed for applications filed under Trademark Act §66(a)).

B. Prior Pending Application

Information regarding pending Application Serial No. 78/568922 is enclosed. The filing date of the referenced application precedes applicant’s filing date. There may be a likelihood of confusion under

Trademark Act Section 2(d) between applicant's mark and the referenced mark. If the referenced application registers, registration may be refused in this case under Section 2(d). 37 C.F.R. §2.83; TMEP §§1208 *et seq.* Therefore, upon entry of a response to this Office action, action on this case may be suspended pending final disposition of the earlier-filed application.

If applicant believes that there is no potential conflict between this application and the earlier-filed application, then applicant may present arguments relevant to the issue in a response to this Office action. The election not to submit arguments at this time in no way limits applicant's right to address this issue at a later point.

C. *Applicant's Right to Respond*

Although the trademark examining attorney has refused registration, applicant may respond to the refusals to register by submitting evidence and arguments in support of registration.

Informalities

If applicant chooses to respond to the refusal(s) to register, then applicant must also respond to the following requirement(s).

A. *Identification of Goods and Services*

Applicant must clarify the identification of goods to specify the material composition and the intended use of the goods in order to allow proper classification. Goods in applicant's identification, such as "emblems", "license plates", and "key chains" are classified based upon their material composition. Thus, these goods as identified are too indefinite and could be classified in multiple International Classes (e.g., "commemorative **metal** license plates" and "**metal** key chains" in International Class 006; "key chains **of precious metal**" in International Class 014; "**paper and printed** commemorative emblems" in International Class 016; "**leather** key chains" in International Class 018; "commemorative **plastic novelty** license plates" and "**non-metal, non-leather** key chains" in International Class 020; and "**embroidered** commemorative emblems" in International Class 026) TMEP §§1401.05, 1402.01, 1402.03, and 1402.05(b).

The wording "Namely" in the identification of goods and services needs clarification because the wording does not appear to specify any broader category of goods or services.

The wording "**promoting**" in the identification of services needs clarification because it is too indefinite and it is not clear if applicant is promoting its own events or the events of others. If this wording is intended to identify services for the benefit of others, such services are properly classified in International Class 035, not International Class 041 (e.g., "promoting motor sports competitions and/or events of others in the nature of automobile races and automobile shows"). If the wording is intended to identify the promotion of applicant's own events, then the mark would fail to function as a service mark for these services, which would be considered a promotional campaign, thus would not function as a service mark or source-identifier *for applicant*. Trademark Act Sections 1, 2, 3 and 45, 15 U.S.C. §§1051, 1052, 1053 and 1127; TMEP §§1301.02 *et seq.*; *In re Admark, Inc.*, 214 USPQ 302 (TTAB 1982); *Cf. In re Advertising & Marketing Development Inc.*, 821 F.2d 614, 2 USPQ2d 2010 (Fed. Cir. 1987); TMEP §1301.02(a).

The wording "**internet web sites and web pages**" in the identification of services needs clarification

because it is too indefinite and does not specify the types of services associated with the web sites and web pages. Applicant should specify what services this wording is intended for more specifically, such as for entertainment purposes (e.g., “entertainment services, namely, providing web sites and web pages featuring film clips, photographs, and other multimedia material, all relating to motor sports events” in International Class 041) and/or creation or design of web sites and web pages of others (e.g., “design, creation, and maintenance of web sites and web pages for others” in International Class 042).

Applicant may substitute the following wording, if accurate:

“Commemorative **metal** license plates; **metal** key chains” in International Class 006;

“Commemorative license plate frames” in International Class 012;

“Key chains **of precious metal**” in International Class 014;

“**Paper and printed** commemorative emblems” in International Class 016;

“**Leather** key chains” in International Class 018;

“Commemorative **plastic novelty** license plates; **non-metal, non-leather** key chains” in International Class 020;

“**Embroidered** commemorative emblems” in International Class 026;

“Promoting motor sports competitions and/or events **of others** in the nature of automobile races and automobile shows” in International Class 035; and

“**Entertainment services**, namely, competing in motor sports events in the nature of automobile races and automobile shows, and **providing** web sites and web pages **featuring film clips, photographs, and other multimedia material, all relating to** motor sports events” in International Class 041.

TMEP §§1402.01 and 1402.03.

Request for Information

Applicant must submit samples of advertisements or promotional materials and a photograph of the identified goods and services because the nature of the goods and services on which applicant intends to use its mark is not clear from the present record. If such materials are not available, then applicant must submit samples of advertisements or promotional materials and a photograph of *similar* goods and services. In addition, applicant must describe in some detail the nature, purpose and channels of trade of the goods and services listed in the application. 37 C.F.R. §2.61(b); TMEP §§814 and 1402.01(e). Also, please specifically indicate if the wording “promoting” is intended to identify services performed for others or is intended to identify the promotion of applicant’s own services and goods.

Trademark Rule 2.61(b) states “The examiner may require the applicant to furnish such information and exhibits as may be reasonably necessary to the proper examination of the application”. The Trademark Trial and Appeal Board has upheld a refusal of registration based on the applicant's failure to provide information requested under this rule. *In re Babies Beat Inc.*, 13 USPQ2d 1729 (TTAB 1990)(failure to submit patent information regarding configuration).

Manual of Acceptable Identifications

For assistance with identifying goods and/or services in trademark applications, please see the online searchable *Manual of Acceptable Identifications of Goods and Services* at <http://tess2.uspto.gov/netahtml/tidm.html>.

Scope

Please note that, while the identification of goods and/or services may be amended to clarify or limit the goods and/or services, adding to the goods and/or services or broadening the scope of the goods and/or services is not permitted. 37 C.F.R. §2.71(a); TMEP §1402.06. Therefore, applicant may not amend the identification to include goods and/or services that are not within the scope of the goods and/or services set forth in the present identification.

B. Classification

If applicant adopts the suggested amendment of the goods and/or services, then applicant must amend the classification to the correct International Classes. 37 C.F.R. §§2.32(a)(7) and 2.85; TMEP §§805 and 1401 *et seq.*

Applicant must clarify the number of classes for which registration is sought. The submitted filing fees are insufficient to cover all the classes in the application. Specifically, the application identifies goods and/or services that are classified in at least 9 international classes, however applicant paid the fee for only 2 class(es).

Applicant must either: (1) restrict the application to the number of classes covered by the fee already paid, or (2) pay the required fee for each additional class. 37 C.F.R. §2.86(a)(2); TMEP §§810.01, 1401.04, 1401.04(b) and 1403.01.

The filing fee for adding classes to an application is as follows:

- (1) \$325 per class, when the fees are submitted with a response filed online via the Trademark Electronic Application System (TEAS) at <http://www.uspto.gov/teas/index.html>; and
- (2) \$375 per class, when the fees are submitted with a paper response.

37 C.F.R. §§2.6(a)(i) and (ii); TMEP §810.

If applicant prosecutes this application as a combined, or multiple-class application, then applicant must comply with each of the requirements below for those goods and/or services based on actual use in commerce under Trademark Act Section 1(a):

- (1) Applicant must list the goods/services by international class with the classes listed in ascending numerical order;
- (2) Applicant must submit a filing fee for each international class of goods and/or services not covered by the fee already paid (current fee information should be confirmed at <http://www.uspto.gov>); and

(3) For each additional class of goods and/or services, applicant must submit:

- (a) dates of first use of the mark anywhere and dates of first use of the mark in commerce, or a statement that the dates of use in the initial application apply to that class; the dates of use, both anywhere and in commerce, must be at least as early as the filing date of the application;
- (b) one specimen showing use of the mark for each class of goods and/or services; the specimen must have been in use in commerce at least as early as the filing date of the application;
- (c) a statement that “the specimen was in use in commerce on or in connection with the goods and/or services listed in the application at least as early as the filing date of the application;” and
- (d) verification of the statements in 3(a) and 3(c) in an affidavit or a signed declaration under 37 C.F.R. §2.20. (NOTE: Verification is *not* required where (1) the dates of use for the added class are stated to be the same as the dates of use specified in the initial application, or (2) the original specimens are acceptable for the added class.)

37 C.F.R. §§2.6, 2.34(a), 2.59, 2.71(c), and 2.86(a); TMEP §§810, 904.09, 1403.01 and 1403.02(c).

Please note that the specimen of record is acceptable for classes 020, and 041 only.

C. Specimen Missing for International Classes 006, 012, 014, 018, 020, 026, and 035

This application does not include a specimen for International Classes 006, 012, 014, 018, 026 or 035. A specimen showing use of the mark in commerce for each class of goods and/or services is required for an application based on use of the mark in commerce under Trademark Act Section 1(a), 15 U.S.C. §1051(a).

TMEP §904. The examining attorney does not see the goods/services falling under classes 006, 012, 014, 018, 026 or 035 in the specimens already submitted. If the applicant adds classes 006, 012, 014, 018, 026 or 035 to the application additional specimen(s) must be submitted.

Applicant must submit (1) a specimen (i.e., an example of how applicant actually uses its mark in the sale or advertising of its services) for each class of services (i.e., International Classes 035) showing the mark as it is used in commerce, and, (2) a statement that “the specimen was in use in commerce at least as early as the filing date of the application,” verified with an affidavit or signed declaration under 37 C.F.R. §2.20. 37 C.F.R. §2.56(a); TMEP §§904.01 *et seq* 904.09.

Examples of acceptable specimens for services are signs, photographs, brochures, website printouts or advertisements that show the mark used in the sale or advertising of the services. TMEP §§1301.04 *et seq*.

Applicant must submit (1) a substitute specimen showing the mark as it is used in commerce on the goods or on packaging for the goods, and (2) a statement that “the substitute specimen was in use in commerce at least as early as the filing date of the application,” verified with a notarized affidavit or a signed declaration under 37 C.F.R. §2.20. 37 C.F.R. §§2.56 and 2.59(a); TMEP §§904.01 *et seq.* and 904.09.

Examples of acceptable specimens for goods are tags, labels, instruction manuals, containers, photographs

that show the mark on the goods or packaging, or displays associated with the goods at their point of sale. TMEP §§904.04 *et seq.*

Pending an adequate response to the above, registration is refused because the specimens of record do not show use of the proposed mark as a service mark. Trademark Act Sections 1, 2, 3 and 45, 15 U.S.C. §§1051, 1052, 1053 and 1127; TMEP §§904.11 and 1301.02 *et seq.*

Pending an adequate response to the above, registration is refused because the specimen of record does not show use of the proposed mark as a trademark. Trademark Act Sections 1, 2 and 45, 15 U.S.C. §§1051, 1052 and 1127; TMEP §§904.11 and 1202 *et seq.*

Declaration

The following is a sample declaration under 37 C.F.R. §2.20 with a supporting statement for a substitute specimen:

The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting there from, declares *that the substitute specimen was in use in commerce at least as early as the filing date of the application*; all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

(Signature)

(Print or Type Name and Position)

(Date)

Amending Dates of Use

If an amendment of the dates of use is necessary in order to state the correct dates of first use, then applicant must verify the amendment with a notarized affidavit or a signed declaration in accordance with 37 C.F.R. §2.20. 37 C.F.R. §2.71(c).

/Jay C Besch/
Trademark Examining Attorney
Law Office 108
(571) 272-8606 voice
(571) 273-9108 official fax
jay.besch@uspto.gov

HOW TO RESPOND TO THIS OFFICE ACTION:

- **ONLINE RESPONSE:** You may respond using the Office's Trademark Electronic Application System (TEAS) Response to Office action form available on our website at <http://www.uspto.gov/teas/index.html>. If the Office action issued via e-mail, you must wait 72 hours after receipt of the Office action to respond via TEAS. **NOTE: Do not respond by e-mail. THE USPTO WILL NOT ACCEPT AN E-MAILED RESPONSE.**
- **REGULAR MAIL RESPONSE:** To respond by regular mail, your response should be sent to the mailing return address above, and include the serial number, law office number, and examining attorney's name. **NOTE: The filing date of the response will be the *date of receipt in the Office*, not the postmarked date.** To ensure your response is timely, use a certificate of mailing. 37 C.F.R. §2.197.

STATUS OF APPLICATION: To check the status of your application, visit the Office's Trademark Applications and Registrations Retrieval (TARR) system at <http://tarr.uspto.gov>.

VIEW APPLICATION DOCUMENTS ONLINE: Documents in the electronic file for pending applications can be viewed and downloaded online at <http://portal.uspto.gov/external/portal/tow>.

GENERAL TRADEMARK INFORMATION: For general information about trademarks, please visit the Office's website at <http://www.uspto.gov/main/trademarks.htm>

FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY SPECIFIED ABOVE.

Print: Apr 20, 2006

78529604

DESIGN MARK

Serial Number
78529604

Status
REGISTERED

Word Mark
SYC

Standard Character Mark
No

Registration Number
3083835

Date Registered
2006/04/18

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

Owner
Cunneen, Edward J. INDIVIDUAL UNITED STATES PO Box 1036 Lombard
ILLINOIS 60148

Goods/Services
Class Status -- ACTIVE. IC 016. US 002 005 022 023 029 037 038 050.
G & S: Vinyl Decals. First Use: 1992/01/15. First Use In Commerce:
1992/01/15.

Filing Date
2004/12/09

Examining Attorney
OSBORNE, STANLEY I.

SYC

Print: Apr 20, 2006

78568922

DESIGN MARK

Serial Number

78568922

Status

NON-FINAL ACTION - MAILED

Word Mark

SYC

Standard Character Mark

Yes

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Classic Camaro Inc. CORPORATION CALIFORNIA 18460 Gothard Street
Huntington Beach CALIFORNIA 92648

Goods/Services

Class Status -- ACTIVE. IC 012. US 019 021 023 031 035 044. G & S:
Automobiles and Automotive parts and accessories, namely quarter
panels, door panels, center consoles, seat upholstery, emblems and
decals..

Filing Date

2005/02/16

Examining Attorney

ERVIN, INGA

Attorney of Record

Robert D. Buyan

SYC



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
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de-cal  **Pronunciation Key** (dē'kāl, dī'kāl)
n

1. A picture or design transferred by decalcomania.
2. A decorative sticker.

[Short for **decalcomania**.]


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decal

n 1: a design fixed to some surface or a paper bearing the design to be transferred to the surface [syn: **decalcomania**] 2: the art of transferring designs from specially prepared paper to a wood or glass or metal surface [syn: **decalcomania**]

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Top Web Results for "emblem"

3 entries found for *emblem*.

em·blem  **Pronunciation Key** (ĕm'bləm)
n

1. An object or a representation that functions as a symbol. See Synonyms at *sign*.
2. A distinctive badge, design, or device: *trucks marked with the company emblem*; *the emblem of the air force*.
3. An allegorical picture usually inscribed with a verse or motto presenting a moral lesson.

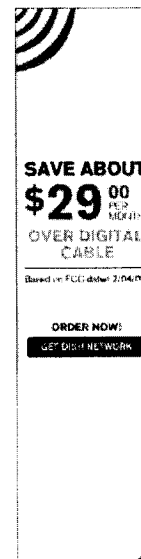
[Middle English, *pictorial fable*, from Latin *emblem̃a*, *raised ornament*, from Greek, *embossed design*, from *emballein*, *to insert, set in* : *en-*, *in*, see *en-*² + *ballein*, *to throw*, see *gʷel-* in Indo-European Roots.]

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emblem

n 1: special design or visual object representing a quality, type, group, etc. 2: a visible symbol representing an abstract idea [syn: *allegory*]



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















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-  Profession & Trade car stickers and decals
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Windshield Car Decals

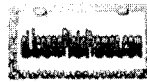


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Zodiac and Astrology car stickers and decals

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-- EMTs Firefighters
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Offroad Decals
Oval Decals
Performance Logos
Pinstripe Kits
Racing Stripes
Symbol Decals

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LIC101



LIC103



LIC105



LIC109



LIC104



LIC106



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Our standard colors include white, black, silver, light gray, medium gray, dark grey, gold metallic, copper metallic, yellow, orange, red, dark red, burgundy, lime, medium teal, dark teal, green, pink, light blue, dark blue, impulse blue, navy, plum, dark purple, medium tan, light brown, and specialty colors including chrome and gold mirror, brush aluminum, white carbon fiber, black carbon fiber, white yellow red and blue reflective and even paint mask!

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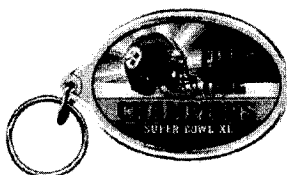
NEW THIS WEEK
TOP TEN LIST
GIFT SETS
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CLEARANCE

ENTERTAINMENT
FLAWY EVERYTHING
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KID STICKERS
POP SYMBOLISM
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HOCKEY / NHL

HOME > SPORTS & REC. > FOOTBALL / NFL > Pittsburgh Steelers > Super Bowl Keychain

Super Bowl Keychain - Keychain



PRODUCT INFORMATION:

Name: Super Bowl Keychain
Type: Keychain
Code: sb_key
Size: 2.5x1.75 inches (width x height)
Price: \$3.99

Sorry, we are currently sold out of Super Bowl Keychain

SIGN UP TO BE NOTIFIED WHEN THIS ITEM BECOMES AVAILABLE:

NOTIFY ME WHEN RE-STOCKED

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Description:

2.5x1.75 inches (width x height) Acrylic keychain with colorful two-sided graphics. Great for attaching to backpacks.

Text On Product: Super Bowl XL Five Time Champions, Pittsburgh Steelers.

Copyright: NFL, 2006

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Steelers XL Logo Decals
Type: Sticker

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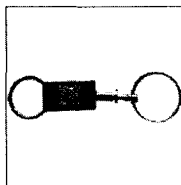
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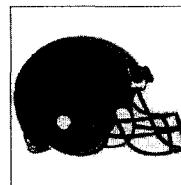
Decals Pins Keychains



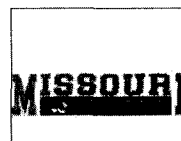
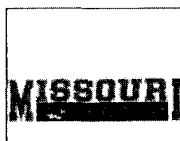
**Missouri Tiger
Keychain-Gold Etched**
\$10.98



Leather Keyring
\$7.98



**Missouri Football
Helmet Decal**
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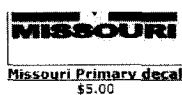
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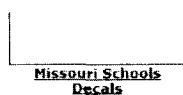
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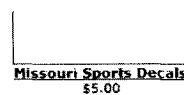
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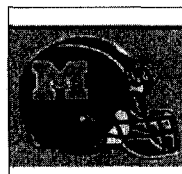
Missouri Primary decal
\$5.00



Missouri Schools
Decals
\$5.00



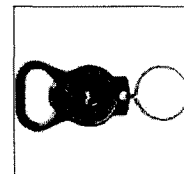
Missouri Sports Decals
\$5.00



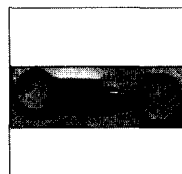
Missouri Tiger Football
Helmet Pin
\$7.98



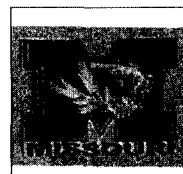
Missouri Tiger Head
Decal
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Missouri Tiger
Keychain-Bottle
Opener
\$10.98



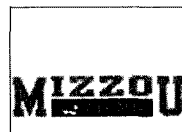
Missouri tiger
Keychain-Gold Tiger
Head
\$10.98



Missouri Tiger Label
Pin
\$7.98



Missouri Tiger Sheet of
Stickers
\$2.98

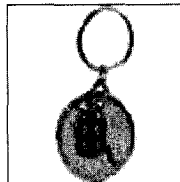




Mizzou Alumni Decal
\$5.00



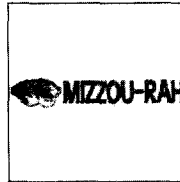
Mizzou Tiger Head Decal
\$5.00



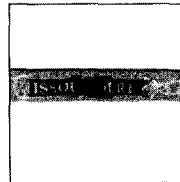
Truman Brass Keyring
\$8.98



Mizzou Oval Decal
\$2.98



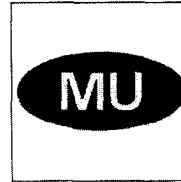
Mizzou-Rah Decal
\$5.00



Web Buckle Keychain
\$6.98



Mizzou Primary Decal
\$5.00



MU Oval Decal
\$5.00

Missouri - Missouri Shirt Co., Missouri Tiger **Keychain**-Gold Etched, Leather Keyring, Missouri Football Helmet **Decal**, Missouri Primary **decal**, Missouri Schools Decals, Missouri Sports Decals, Missouri Tiger Football Helmet Pin, Missouri Tiger Head **Decal**, Missouri Tiger **Keychain**-Bottle Opener, Missouri tiger **Keychain**-Gold Tiger Head, Missouri Tiger Lapel Pin, Missouri Tiger Sheet of Stickers, Mizzou Alumni **Decal**, Mizzou Oval **Decal**, Mizzou Primary **Decal**, Mizzou Tiger Head **Decal**, Mizzou-Rah **Decal**, MU Oval **Decal**, Truman Brass Keyring, Web Buckle **Keychain**

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Serial Number
78137521

Status
REGISTERED

Word Mark
GVSU

Standard Character Mark
No

Registration Number
2800256

Date Registered
2003/12/30

Type of Mark
TRADEMARK; SERVICE MARK

Register
PRINCIPAL

Mark Drawing Code
(1) TYPED DRAWING

Owner
Grand Valley State University CORPORATION MICHIGAN 1 Campus Drive
Allendale MICHIGAN 49401

Goods/Services
Class Status -- ACTIVE. IC 043. US 100 101. G & S: Arena services, namely providing facilities for sports, concerts, conventions and exhibitions. First Use: 1987/11/00. First Use In Commerce: 1987/11/00.

Goods/Services
Class Status -- ACTIVE. IC 035. US 100 101 102. G & S: Arranging and conducting trade show exhibitions in the field of business, culinary arts, crafts, education, career fairs, performing arts, fine arts; arranging and conducting business conferences. First Use: 1987/11/00. First Use In Commerce: 1987/11/00.

Goods/Services
Class Status -- ACTIVE. IC 018. US 001 002 003 022 041. G & S: Novelty items, namely, umbrellas; travel bags; handbags; briefcases; business card cases; animal carriers; pet collars and leashes; luggage; briefcase type portfolios; pocketbooks; purses. First Use:

1987/11/00. First Use In Commerce: 1987/11/00.

Goods/Services

Class Status -- ACTIVE. IC 014. US 002 027 028 050. G & S: Jewelry, clocks, letter openers made of precious metal, candlesticks of precious metal, watches, trophies made of precious metal; lapel and tie pins. First Use: 1987/11/00. First Use In Commerce: 1987/11/00.

Goods/Services

Class Status -- ACTIVE. IC 016. US 002 005 022 023 029 037 038 050. G & S: Stationery; paper coasters; paper banners; paper flags; letter openers not made of precious metal; pencils and pens; decals; paper weights; mechanical binder sets comprised of rings, dividers, and folders; day planners; notebooks; posters; calendars; address books; greeting cards; books and magazines concerning philosophy, poetry, art, psychology, sociology, business, recreation, sports, and teaching at the primary, secondary and college levels; photo albums; paper bags; bookmarks; wirebound books; checkbook covers; coasters made of paper; coin holders; desk sets; desk top organizers; globes; maps; paper napkins; note cards; note pads; desk pads; pennants made of paper; pictorial prints; postcards; writing pads and tablets. First Use: 1987/11/00. First Use In Commerce: 1987/11/00.

Goods/Services

Class Status -- ACTIVE. IC 020. US 002 013 022 025 032 050. G & S: Plastic banners, picture frames, plastic flags, non-metal and non-leather key chains, plastic novelty license plates, furniture, plastic novelty license plate frames; seats; chairs; non-metal money clips. First Use: 1987/11/00. First Use In Commerce: 1987/11/00.

Goods/Services

Class Status -- ACTIVE. IC 021. US 002 013 023 029 030 033 040 050. G & S: Mugs; beverage glassware; non-metal piggy banks; birdhouses; coasters not made of linen or paper; plates; beer steins; brushes and combs; buckets; lunch pails, waste paper baskets not made of metal; flasks; portable beverage coolers; wind chimes. First Use: 1987/11/00. First Use In Commerce: 1987/11/00.

Goods/Services

Class Status -- ACTIVE. IC 024. US 042 050. G & S: Novelty items, namely throw blankets; bath towels; washcloths; cloth banners; afghans; oven mitts; cloth placemats; pennants not made of paper or plastic; cloth flags; fabric table runners. First Use: 1987/11/00. First Use In Commerce: 1987/11/00.

Goods/Services

Class Status -- ACTIVE. IC 028. US 022 023 038 050. G & S: Novelty sporting goods, namely, exercise and gymnastic banners; toy rubber ducks; golf flags; Christmas tree ornaments; footballs; basketballs; baseballs; golf balls; soccer balls; volley balls; balloons; stuffed toy animals; golf ball covers; golf bags; flying disks; baseball bats.

First Use: 1987/11/00. First Use In Commerce: 1987/11/00.

Goods/Services

Class Status -- ACTIVE. IC 041. US 100 101 107. G & S: Educational research; educational services, namely, providing courses of instructional at the college level; arranging and conducting athletic competitions; arranging and conducting educational conferences; entertainment services in the nature of sporting events, namely, football games, basketball games, baseball games, softball games, volleyball games, soccer games, golf meets, cross country meets, swimming meets, tennis meets, and track meets; entertainment services in the nature of live musical performances and concerts; conducting entertainment exhibitions in the nature of art and ethnic festivals. First Use: 1987/11/00. First Use In Commerce: 1987/11/00.

Goods/Services

Class Status -- ACTIVE. IC 025. US 022 039. G & S: Clothing and accessories, namely hats, hoods, caps, tops, t-shirts, shorts, pants, ponchos, footwear, sweaters, visors, bandanas, sweatshirts, sweatpants, jackets, coats, wraps, mantles, mufflers, shifts, short sets, ties, socks, boxers, beachwear, loungewear, nightgowns, nightshirts, overalls, rainwear, wristbands, tracksuits, scarves. First Use: 1987/11/00. First Use In Commerce: 1987/11/00.

Filing Date

2002/06/21

Examining Attorney

SMITH, REBECCA

Attorney of Record

Mary C. Bonnema

TYPED DRAWING

Serial Number

78199396

Status

REGISTERED

Word Mark

H.U.G.S. (HIS UNLIMITED GRACE SAVES) AMERICA

Standard Character Mark

No

Registration Number

2969762

Date Registered

2005/07/19

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

H.U.G.S. Me, LLC LTD LIAB JT ST CO TENNESSEE 5858 Foothills Drive
Murfreesboro TENNESSEE 37129

Goods/Services

Class Status -- ACTIVE. IC 014. US 002 027 028 050. G & S:
Jewelry, namely, ankle bracelets, bracelets, identification bracelets,
bracelets of precious metals, earrings, necklaces, pins, tie tacks,
necklace slides, charms, watches, rings. First Use: 2002/10/18.
First Use In Commerce: 2002/11/29.

Goods/Services

Class Status -- ACTIVE. IC 016. US 002 005 022 023 029 037 038 050.
G & S: Paper gift bags, bookmarks, bumper stickers, decals, gift
wrapping paper, announcement cards, occasion cards, greeting cards,
note cards, ink pens, pencils, book covers, note pads, leather bible
covers. First Use: 2002/10/18. First Use In Commerce: 2002/11/29.

Goods/Services

Class Status -- ACTIVE. IC 024. US 042 050. G & S: SWEAT PANTS,
SWEAT SHIRTS, SWEAT SHORTS, SWEAT SUITS, SHORTS, T-SHIRTS, PAJAMAS,
NIGHT SHIRTS; NIGHT GOWNS; HATS, CAPS; GOLF SHIRTS, SPORT SHIRTS;

SHIRTS, VESTS, JUMPERS. First Use: 2002/10/18. First Use In Commerce: 2002/11/29.

Goods/Services

Class Status -- ACTIVE. IC 018. US 001 002 003 022 041. G & S: LEATHER KEY CHAINS, CLUTCH BAGS, DUFFLE BAGS, SPORT BAGS, GYM BAGS, TOTE BAGS, BEACH BAGS, BOOK BAGS, OVERNIGHT BAGS, UMBRELLAS. First Use: 2002/10/18. First Use In Commerce: 2002/11/29.

Goods/Services

Class Status -- ACTIVE. IC 006. US 002 012 013 014 023 025 050. G & S: METAL KEY CHAINS, METAL BACKPACK CLIPS; METAL IDENTIFICATION TAGS. First Use: 2002/10/18. First Use In Commerce: 2002/11/29.

Goods/Services

Class Status -- ACTIVE. IC 021. US 002 013 023 029 030 033 040 050. G & S: MUGS, COFFEE MUGS, EARTHENWARE MUGS, PORCELAIN MUGS, GLASS MUGS, DRINKING GLASSES. First Use: 2002/10/18. First Use In Commerce: 2002/11/29.

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Examining Attorney

MATTESSICH, DANIELLE

Attorney of Record

|Christopher J. Day

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Serial Number

78320445

Status

REGISTERED

Word Mark

SUPERMOTO

Standard Character Mark

No

Registration Number

3083490

Date Registered

2006/04/18

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

Emler, Don R. INDIVIDUAL UNITED STATES 18033 S. Santa Fe Avenue Rancho Dominguez CALIFORNIA 902215514

Goods/Services

Class Status -- ACTIVE. IC 007. US 013 019 021 023 031 034 035. G & S: MOTORCYCLE ENGINE PARTS NAMELY, EXHAUST PIPES, MUFFLERS, SILENCERS, SPARK ARRESTORS, EXHAUST HEADERS, EXHAUST MANIFOLDS, INTAKE MANIFOLDS, AIR BOXES, AIR FILTERS, CARBURETORS, CYLINDER HEADS, PISTONS, CLUTCHES, FLYWHEELS, GEARBOXES, IGNITIONS AND MOTORCYCLE ENGINE COMPONENTS, NAMELY, CAM SHAFTS, SPROCKETS, CHAINS AND BELTS. First Use: 2005/12/19. First Use In Commerce: 2005/12/19.

Goods/Services

Class Status -- ACTIVE. IC 012. US 019 021 023 031 035 044. G & S: MOTORCYCLES AND PARTS OF MOTORCYCLES NAMELY, MOTORCYCLE ENGINES, BRAKE CABLES, BRAKE CALIPERS, BRAKE PEDALS, BRAKE ROTORS, BRAKE SHOES, BRAKE DISCS, BRAKE LEVERS, CLUTCH CABLES, CLUTCH LEVERS, DRIVE CHAINS, SPROCKETS, FOOTPEGS, HANDLE BARS, HANDLE BAR CONTROLS, HANDLE BAR LEVERS, HANDLE BAR DAMPERS, HANDLE BAR GRIPS, SHIFT LEVERS, KICKSTANDS, BIKE STANDS AND STRUCTURAL PARTS FOR MOTORCYCLES, NAMELY, GEARBOXES, CLUTCHES, FRAMES, SUBFRAMES, SWING ARMS, HUBS, WHEELS AND

WHEEL SUSPENSIONS, FREE STANDING BIKE STANDS. First Use: 2005/12/19.
First Use In Commerce: 2005/12/19.

Goods/Services

Class Status -- ACTIVE. IC 025. US 022 039. G & S: Wearing apparel, namely, t-shirts, sport shirts, knit shirts, sweatshirts, sweaters, sporting shirts, jerseys, jackets, pullovers, pants, shorts, overalls, under garments, pajamas, socks, hats, caps, beanies, visors, belts, ties, beachwear, swimsuits, shoes, boots, footwear, motorcycle jerseys, motorcycle pants, motorcycle gloves, motorcycle socks, motorcycle boots. First Use: 2005/12/19. First Use In Commerce: 2005/12/19.

Goods/Services

Class Status -- ACTIVE. IC 016. US 002 005 022 023 029 037 038 050.
G & S: Printed matter namely, books, magazines, brochures, and fliers related to motor sport activities, posters, photographs, bumper stickers, decal stickers, paper banners, hay bale covers, emblems, temporary tattoos. First Use: 2005/12/19. First Use In Commerce: 2005/12/19.

Filing Date

2003/10/29

Examining Attorney

ANKRAH, NAAKWAMA

Attorney of Record

MARTIN L STONEMAN

DESIGN MARK

Serial Number

78489851

Status

REGISTERED

Word Mark

JEFF GORDON

Standard Character Mark

No

Registration Number

3040770

Date Registered

2006/01/10

Type of Mark

TRADEMARK; SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

Owner

Jeff Gordon, Inc. CORPORATION NORTH CAROLINA 7600 Hyde's Way Charlotte
NORTH CAROLINA 28262

Goods/Services

Class Status -- ACTIVE. IC 006. US 002 012 013 014 023 025 050. G
& S: Metal goods, namely metal key rings and metal license plates.
First Use: 1991/03/31. First Use In Commerce: 1991/03/31.

Goods/Services

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S:
Sunglasses. First Use: 1991/03/31. First Use In Commerce:
1991/03/31.

Goods/Services

Class Status -- ACTIVE. IC 014. US 002 027 028 050. G & S:
Jewelry. First Use: 1991/03/31. First Use In Commerce: 1991/03/31.

Goods/Services

Class Status -- ACTIVE. IC 016. US 002 005 022 023 029 037 038 050.
G & S: Paper goods and printed matter, namely posters, stickers,
decals, calendars, and brochures directed to automobile racing; cards,

namely trading cards directed to automobile racing. First Use:
1991/03/31. First Use In Commerce: 1991/03/31.

Goods/Services

Class Status -- ACTIVE. IC 021. US 002 013 023 029 030 033 040 050.
G & S: Housewares and glass products, namely drinking glasses, cups,
and mugs; rubber, plastic, or foam insulated beverage holders; plastic
water bottles sold empty. First Use: 1991/03/31. First Use In
Commerce: 1991/03/31.

Goods/Services

Class Status -- ACTIVE. IC 025. US 022 039. G & S: Clothing,
namely sweatshirts, T-shirts, sweatsuits, shorts, pants, jackets,
sweaters, socks, and caps. First Use: 1991/03/31. First Use In
Commerce: 1991/03/31.

Goods/Services

Class Status -- ACTIVE. IC 028. US 022 023 038 050. G & S: Toys
and sporting goods, namely miniature cars and trucks. First Use:
1991/03/31. First Use In Commerce: 1991/03/31.

Goods/Services

Class Status -- ACTIVE. IC 041. US 100 101 107. G & S:
Entertainment services in the nature of participating in professional
automobile races and related exhibitions. First Use: 1991/03/31.
First Use In Commerce: 1991/03/31.

Prior Registration(s)

1964012;2579120;2611105

Name/Portrait Statement

The name(s), portrait(s), and/or signature(s) shown in the mark
identifies Jeffrey M. Gordon, whose consent(s) to register is
submitted.

Description of Mark

The mark consists of Stylized signature of the name Jeff Gordon.

Filing Date

2004/09/27

Examining Attorney

LORENZO, GEORGE

Attorney of Record

Jayne C. Hunter

Phyllis K.

*** User:Jbesch ***

#	Total Marks	Dead Marks	Live Viewed	Live Viewed	Status/ Search Duration	Search
01	1970	N/A	0	0	0:01	*syc*[BI,TI]
02	5	2	3	3	0:01	"syc"[BI,TI]
03	0	0	0	0	0:01	"s yc"[BI,TI]
04	0	0	0	0	0:01	"sy c"[BI,TI]
05	0	0	0	0	0:02	"s y c"[BI,TI]
06	851	N/A	0	0	0:03	1 not dead[lid]
07	53096	N/A	0	0	0:48	*{"szc"}{"iey"}{"ckq"}*[BI,TI]
08	31324	N/A	0	0	0:07	7 and ("041" or "035" or "006" or "014" or "018" or "020" or "026") [cc]
09	13312	N/A	0	0	0:05	7 and ("041" or "035" or "006" or "014" or "018" or "020" or "026" or "a" or "b" or "200") [ic]
10	20569	N/A	0	0	0:44	{"szc"}{"iey"}{"ckq"}*[BI,TI]
11	9116	N/A	0	0	0:03	10 not dead[lid]
12	5567	N/A	0	0	0:03	11 and ("041" or "035" or "006" or "014" or "018" or "020" or "026") [cc]
13	1967	N/A	0	0	0:04	11 and ("041" or "035" or "006" or "014" or "018" or "020" or "026" or "a" or "b" or "200") [ic]
14	200	0	200	136	1:27	{"szc"}{"iey"}{"ckq"} [BI,TI] not dead[lid]
15	108	N/A	0	0	1:17	{"szc"}{"iey"}{"ckq"}{"ckq"} [BI,TI] not dead[lid]
16	100	0	100	70	0:01	15 not (14 or 2)
17	847	N/A	0	0	0:01	6 not (16 or 14 or 2)
18	528	N/A	0	0	0:05	17 and ("041" or "035" or "006" or "014" or "018" or "020" or "026") [cc]
19	277	0	277	139	0:02	17 and ("041" or "035" or "006" or "014" or "018" or "020" or "026" or "a" or "b" or "200") [ic]

Session started 4/21/06 8:03:38 AM

Session finished 4/21/06 9:03:31 AM

Total search duration 4 minutes 56 seconds

Session duration 59 minutes 53 seconds

Default NEAR limit=1 ADJ limit=1

Sent to TICRS as Serial Number: 78734240

Trademark/Service Mark Application, Principal Register

Serial Number: 78734240

Filing Date: 10/17/2005

The table below presents the data as entered.

Input Field	Entered
MARK SECTION	
MARK	<u>SYC</u>
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	SYC
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
OWNER SECTION	
NAME	Yenko Sportscar Club
STREET	PO Box 375
CITY	Alton
STATE	Missouri
ZIP/POSTAL CODE	65606
COUNTRY	United States
PHONE	417-778-6639
FAX	417-778-7221
EMAIL	yenko@yenko.net
AUTHORIZED EMAIL COMMUNICATION	Yes
LEGAL ENTITY SECTION	
TYPE	CORPORATION
STATE/COUNTRY OF INCORPORATION	Missouri
GOODS AND/OR SERVICES SECTION	

DESCRIPTION	Namely commemorative emblems, commemorative license plates, commemorative license plate frames, and key chains.
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 09/00/1998
FIRST USE IN COMMERCE DATE	At least as early as 09/00/1998
SPECIMEN FILE NAME(S)	<u>\\TICRS\EXPORT8\IMAGEOUT8\787\342\78734240\xml1\AP P0003.JPG</u>
SPECIMEN DESCRIPTION	Specimen "plate2.JPG" consists of a digital picture of a commemorative license plate.
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	041
DESCRIPTION	Namely performing, promoting and competing in motor sports events, in the nature of automobile races and automobile shows, as well as internet web sites and web pages.
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 09/00/1998
FIRST USE IN COMMERCE DATE	At least as early as 09/00/1998
SPECIMEN FILE NAME(S)	<u>\\TICRS\EXPORT8\IMAGEOUT8\787\342\78734240\xml1\AP P0004.JPG</u>
SPECIMEN DESCRIPTION	Specimen "1998flier1.JPG" consists of a digital picture of an original flier from the 1998 event.
SIGNATURE SECTION	
SIGNATURE	/Lyle T. "Tom" Clary/
SIGNATORY NAME	Lyle T. "Tom" Clary
SIGNATORY DATE	10/17/2005
SIGNATORY POSITION	President
PAYMENT SECTION	
NUMBER OF CLASSES	2
NUMBER OF CLASSES PAID	2
SUBTOTAL AMOUNT	650

TOTAL AMOUNT	650
CORRESPONDENCE SECTION	
NAME	Yenko Sportscar Club
STREET	PO Box 375
CITY	Alton
STATE	Missouri
ZIP/POSTAL CODE	65606
COUNTRY	United States
EMAIL	yenko@yenko.net
AUTHORIZED EMAIL COMMUNICATION	Yes
FILING INFORMATION	
SUBMIT DATE	Mon Oct 17 10:59:17 EDT 2005
TEAS STAMP	USPTO/BAS-692989178-20051 017105917692057-78734240- 20015f3d413b73da434c2cdfe 93aeb2f0-ET-1177-20051017 105833892306

Trademark/Service Mark Application, Principal Register

Serial Number: 78734240

Filing Date: 10/17/2005

To the Commissioner for Trademarks:

MARK: (Standard Characters, see mark)

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The literal element of the mark consists of SYC.

The applicant, Yenko Sportscar Club, a corporation of Missouri, residing at PO Box 375, Alton, Missouri, United States, 65606, requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

The applicant, or the applicant's related company or licensee, is using the mark in commerce, and lists below the dates of use by the applicant, or the applicant's related company, licensee, or predecessor in interest, of the mark on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

International Class _____: Namely commemorative emblems, commemorative license plates, commemorative license plate frames, and key chains.

International Class 041: Namely performing, promoting and competing in motor sports events, in the nature of automobile races and automobile shows, as well as internet web sites and web pages.

In International Class _____, the mark was first used at least as early as 09/00/1998, and first used in commerce at least as early as 09/00/1998, and is now in use in such commerce. The applicant is submitting or will submit one specimen for *each class* showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Specimen "plate2.JPG" consists of a digital picture of a commemorative license plate..

Specimen - 1

In International Class 041, the mark was first used at least as early as 09/00/1998, and first used in commerce at least as early as 09/00/1998, and is now in use in such commerce. The applicant is submitting or will submit one specimen for *each class* showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Specimen "1998flier1.JPG" consists of a digital picture of an original flier from the 1998 event..

Specimen - 1

The USPTO is authorized to communicate with the applicant or its representative at the following email

address: yenko@yenko.net.

A fee payment in the amount of \$650 will be submitted with the application, representing payment for 2 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Lyle T. "Tom" Clary/ Date: 10/17/2005

Signatory's Name: Lyle T. "Tom" Clary

Signatory's Position: President

Mailing Address:

Yenko Sportscar Club

PO Box 375

Alton, Missouri 65606

RAM Sale Number: 1177

RAM Accounting Date: 10/17/2005

Serial Number: 78734240

Internet Transmission Date: Mon Oct 17 10:59:17 EDT 2005

TEAS Stamp: USPTO/BAS-692989178-20051017105917692057

-78734240-20015f3d413b73da434c2cdfe93aeb

2f0-ET-1177-20051017105833892306

SYC

SYC

YENKO SPORTSCAR CLUB

WWW.YENKO.DC

NOTICE OF THE 1970 ANNUAL MEETING OF THE

CORPORATION

1970 ANNUAL MEETING/AGENDA

FOR THE YEAR 1970
AND THE AGENDA FOR THE YEAR 1971

THE BOARD OF DIRECTORS OF THE

CORPORATION HAS THE HONOR TO INVITE YOU TO ATTEND THE 1970 ANNUAL MEETING OF THE CORPORATION AND THE AGENDA FOR THE YEAR 1971.

THE MEETING WILL BE HELD AT THE

MEETING PLACE, ON THE DATE AND AT THE TIME SPECIFIED HEREIN.

THE AGENDA FOR THE YEAR 1971 IS AS FOLLOWS:

1. TO CONSIDER AND ACT UPON THE REPORT OF THE BOARD OF DIRECTORS FOR THE YEAR 1970.

2. TO CONSIDER AND ACT UPON THE REPORT OF THE BOARD OF DIRECTORS FOR THE YEAR 1971.

3. TO CONSIDER AND ACT UPON THE REPORT OF THE BOARD OF DIRECTORS FOR THE YEAR 1972.

4. TO CONSIDER AND ACT UPON THE REPORT OF THE BOARD OF DIRECTORS FOR THE YEAR 1973.

5. TO CONSIDER AND ACT UPON THE REPORT OF THE BOARD OF DIRECTORS FOR THE YEAR 1974.

6. TO CONSIDER AND ACT UPON THE REPORT OF THE BOARD OF DIRECTORS FOR THE YEAR 1975.

7. TO CONSIDER AND ACT UPON THE REPORT OF THE BOARD OF DIRECTORS FOR THE YEAR 1976.

8. TO CONSIDER AND ACT UPON THE REPORT OF THE BOARD OF DIRECTORS FOR THE YEAR 1977.

9. TO CONSIDER AND ACT UPON THE REPORT OF THE BOARD OF DIRECTORS FOR THE YEAR 1978.

10. TO CONSIDER AND ACT UPON THE REPORT OF THE BOARD OF DIRECTORS FOR THE YEAR 1979.

SYC

SYC

YENKO SPORTSCAR CLUB
WWW.YENKO.NET

STEWART HANSELL MONTON DANA GUSL BELGER

COPO



COPO

ANNUAL REUNION/AUCTION

AT THE HENDERSONVILLE IN

EXHIBIT OF THE CHEVROLET HIGH PERFORMANCE
CAR SHOWS FROM 1970 TO 1980

FRIDAY, SEPTEMBER 5, 1986

REGISTRATION AT HENDERSONVILLE
IN THE HENDERSONVILLE IN
HENDERSONVILLE IN
HENDERSONVILLE IN

SEPTEMBER 5, 1986

REGISTRATION AT HENDERSONVILLE

IN THE HENDERSONVILLE IN

HENDERSONVILLE IN

HENDERSONVILLE IN

HENDERSONVILLE IN

HENDERSONVILLE IN

HENDERSONVILLE IN